

AGENDA

BOARD OF MAYOR AND ALDERMEN

**February 19, 2008
Mayor and all Aldermen**

**7:30 PM
Aldermanic Chambers
City Hall (3rd Floor)**

1. Mayor Guinta calls the meeting to order.
2. The Clerk calls the roll.
3. Mayor Guinta advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Approve under supervision of the Department of Highways; subject to funding availability

- A. Sidewalk petition for 81-83 Harold Street

Informational to be Received and Filed

- B. Communication from Carol Johnson, City Clerk, advising that the letter "K" has been chosen by the Secretary of State to initiate rotation of names of candidates on ballots and that such will be utilized for any elections held during 2008.
- C. Communication from Carol Johnson, City Clerk, providing the Board a report on the current status of activities at the Office of the City Clerk.
- D. Communication from Comcast submitting their franchise fee payment for the fourth quarter 2007 in the amount of \$330,238.65.

- E. Communication from Manchester Transit Authority submitting minutes of the January 8, 2008 meeting and reports for the month of December.
- F. Communication from David Hodgen, Acting Human Resources Director, addressed to Mayor Guinta advising of a projected deficit totaling at least \$101,053 in the salary account for Human Resources, and requesting a transfer of funds from the salary adjustment account.
- G. Communication from State Representative Leo Pepino regarding residency requirements for sex offenders.

Informational, refer to City Clerk for review and report

- H. Communication from Jeff Michelsen, Moderator of Ward 5, asking the Board guidance in returning the voting booth location at Beech Street School to the gymnasium.

REFERRALS TO COMMITTEES

COMMITTEE ON FINANCE

- I. Resolution:

“Authorizing the Finance Officer to effect a transfer of Forty Eight Thousand Dollars (\$48,000) from Contingency to the Manchester Police Department.”

REPORTS OF COMMITTEES

**COMMITTEE ON ACCOUNTS, ENROLLMENT
AND REVENUE ADMINISTRATION**

- J. Advising that it has accepted the City’s Monthly Financial Statements (unaudited) for the six months ended December 31, 2007 and is forwarding same to the Board for informational purposes.
(Unanimous vote.)
(Note: Available for viewing at the office of City Clerk, and previously forward to the Mayor and Aldermen.)

- K.** Advising that it has accepted the following Finance Department reports:
- a) Department Legend;
 - b) Open Invoice report over 90 days by fund;
 - c) Open Invoice report all invoices for interdepartmental billings only;
 - d) Open Invoice report all invoices due from the School Department only;
 - e) Listing of invoices submitted to City Solicitor for legal determination; and
 - f) Accounts Receivable summary
- (Unanimous vote.)*
(Note: Available for viewing at the office of City Clerk, and previously forward to the Mayor and Aldermen.)
- L.** Recommending that the 2nd Quarter FY2008 write-off list for the Accounts Receivable module be approved.
(Unanimous vote.)
- M.** Advising that is has approved a waiver of the City's travel policy for EPD attendance at the NEWEA conference held in Boston.
(Unanimous vote.)

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- N.** Recommending that a request by the Parks, Recreation and Cemetery Department to have the Fair License fee waived for the annual fireworks display at Arms Park on Thursday, July 3, 2008 be approved.
(Unanimous vote.)
- O.** Recommending that a request of the Palace Theatre to hang a banner across Hanover Street to advertise upcoming performances through April, 2008, be granted and approved, subject to the supervision of Highway and meeting any conditions of insurance set forth by the Risk Manager.
(Unanimous vote.)

COMMITTEE ON BILLS ON SECOND READING

- P.** Recommending that Ordinance Amendment:
“Amending Chapter 32: Boards, Commissions, and Departments of the Code of Ordinances of the City of Manchester by deleting Section 32.026: Appointment of Members, and replacing it with a new Section 32.026 creating alternate members of the Arts Commission.”
ought to pass.
(*Unanimous vote.*)
- Q.** Recommending that Ordinance Amendment:
“Amending subsection 97.34: Encumbrances Prohibited of the Code of Ordinances of the City of Manchester, providing for exceptions by permit for the intermittent placement of signage in the public right of way.”
ought to pass.
(*Unanimous vote.*)
- R.** Recommending that Ordinance Amendment:
“Amending subsection 70.45 of the Code of Ordinances of the City of Manchester to clarify responsibilities of the Parking Division.”
ought to pass.
(*Unanimous vote.*)

COMMITTEE ON LANDS AND BUILDINGS

- S.** Recommending that a uniform policy be adopted for all street vendors. The Committee further recommends that the Board order that the energy source of these vendors be self-contained, clean, well maintained and quiet, and noting that such actions have been recommended by the Risk Manager after consultation with other City staff.
(*Unanimous vote.*)
- T.** Recommending that a request of the Manchester Water Works to purchase a 1.03 acre parcel of undeveloped watershed property located east of Proctor Road in Manchester, as outlined herein, be approved subject to the review and approval of the Solicitor’s Office.
(*Unanimous vote.*)

**LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA,
A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE
APPROVED.**

4. Nominations to be presented by Mayor Guinta, if available.
Ladies and Gentlemen, what is your pleasure?

5. Confirmation of nominations:

Arts Commission

Susan Ware to succeed Kelleigh Domaingue, term to expire December 1, 2008;

Planning Board

Daniel Pinard to succeed Richard E. Molan, term to expire May 1, 2010; and

Heritage Commission

Cathryn Vaughan to succeed Verna Perry, term to expire January 1, 2011.

Ladies and Gentlemen, what is your pleasure?

6. A motion is in order to recess the meeting to allow the Committee on Finance to meet.
7. Mayor Guinta calls the meeting back to order.
8. Report of Committee on Finance, if available.
Ladies and Gentlemen, what is your pleasure?
9. Report of Committee on Human Resources, if available.
Ladies and Gentlemen, what is your pleasure?

10. Report of Committee on Lands and Buildings, if available.
Ladies and Gentlemen, what is your pleasure?
11. Update on FY2008 Budget to be presented by Mayor Guinta and the Finance Officer.
12. Legislative Update presented by Mayor Guinta.
Ladies and Gentlemen, what is your pleasure?
13. Ordinances: **(A motion is in order to read by title only.)**

“Amending Chapter 32: Boards, Commissions, and Departments of the Code of Ordinances of the City of Manchester by deleting Section 32.026: Appointment of Members, and replacing it with a new Section 32.026 creating alternate members of the Arts Commission.”

“Amending subsection 97.34: Encumbrances Prohibited of the Code of Ordinances of the City of Manchester, providing for exceptions by permit for the intermittent placement of signage in the public right of way.”

“Amending subsection 70.45 of the Code of Ordinances of the City of Manchester to clarify responsibilities of the Parking Division.”

These Ordinances having had their second readings by titles only the question is on passing same to be Enrolled.

14. Mayor Guinta advises that a motion is in order to recess the meeting to allow the Committee on Accounts, Enrollment and Revenue Administration to meet.
15. Mayor Guinta calls the meeting back to order.
16. Report of Committee on Accounts, Enrollment and Revenue Administration.
Ladies and Gentlemen, what is your pleasure?

17. Ordinances: (A motion is in order to read by title only.)

“Amending Chapter 32: Boards, Commissions, and Departments of the Code of Ordinances of the City of Manchester by deleting Section 32.026: Appointment of Members, and replacing it with a new Section 32.026 creating alternate members of the Arts Commission.”

“Amending subsection 97.34: Encumbrances Prohibited of the Code of Ordinances of the City of Manchester, providing for exceptions by permit for the intermittent placement of signage in the public right of way.”

“Amending subsection 70.45 of the Code of Ordinances of the City of Manchester to clarify responsibilities of the Parking Division.”

These Ordinances, having had their third and final readings by titles only, the question is on passing same to be Ordained.

18. Resolution: (A motion is in order to read by titles only.)

“Authorizing the Finance Officer to effect a transfer of Forty Eight Thousand Dollars (\$48,000) from Contingency to the Manchester Police Department.”

A motion is in order that the Resolutions pass and be Enrolled.

TABLED ITEMS

(A motion is in order to remove any item from the table.)

- 19. Communication from Stephen Quinn, Advisory Committee to MECRS, regarding SB373, an amendment to an existing health insurance subsidy provision, requesting the bill be allowed to progress through the legislative process so that the voters of Manchester can have a final say through referendum later in 2008.**

(Tabled 2/5/2008)

20. Report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, 875-16.”

ought to pass.

*(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)
(Tabled 09/05/2006)*

NOTE: Available for viewing at Office of City Clerk; previously forwarded to Mayor and all Aldermen.

21. Report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin’s Cemetery.”

ought to pass.

*(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)
(Tabled 09/05/2006)*

NOTE: Available for viewing at Office of City Clerk; previously forwarded to Mayor and all Aldermen.

22. Report of the Committee on Community Improvement advising that it has requested staff to prepare documents to provide that the City agree to extend the term on the 2nd mortgage relating to Lowell Terrace Associates property located at the northwest corner of Lowell and Chestnut Streets to coincide with the expiration of the existing first mortgage in 2013.

(Unanimous vote)

(Tabled 05/15/2007. Additional materials provided by Finance enclosed.)

NOTE: Available for viewing at Office of City Clerk; previously forwarded to Mayor and all Aldermen, with additional materials provided by Finance.)

23. A Majority report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot.”

be denied at this time.

The Committee notes that the business owner should work with the neighborhood and may return with a petition after addressing issue as noted in a communication from Alderman Garrity enclosed herein.

(Aldermen Garrity, Pinard and Duval in favor. Aldermen Lopez and Gatsas opposed.)

(Tabled 06/05/2007)

- A Minority report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot.”

ought to pass.

The minority advises that the proposed zoning, in its opinion, is consistent with the highest and best use of the property and that neighborhood concerns can be best addressed through the development process at the Planning Board level, therefore, that such rezoning should be considered subject to the Planning Board approving any plans for development of the property.

S/Alderman Lopez

(Tabled 06/05/2007)

NOTE: Available for viewing at Office of City Clerk; previously forwarded to Mayor and all Aldermen.

24. NEW BUSINESS
A. Communications
B. Aldermen

25. If there is no further business a motion is in order to adjourn.



TO THE HONORABLE BOARD OF MAYOR AND
ALDERMEN:

RECEIVED
MANCHESTER CITY CLERK

I/we, WAYNE THURSTON AND ANNETTE THURSTON, the
Name(s)

owner(s) of the real estate abutting upon 81-83 HAROLD STREET
Street Address

Manchester, NH 03104

Description (including footage):
40 FEET, MORE OR LESS, IN FRONT OF
HOME,

desire that:

- ☐ A sidewalk be constructed along said frontage
- ☐ A sidewalk be reconstructed along said frontage
- ☒ Curbing be installed along said frontage
- ☐ Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed:

Wayne S. Thurston
Owner

Annette M. Thurston
Owner

81 HAROLD ST., MANCHESTER, NH 03104
Mailing Address

Phone #: 603-623-6508

Date: 02/11/2008

A



CITY OF MANCHESTER

Office of the City Clerk



Carol A. Johnson
City Clerk

Matthew Normand
Deputy City Clerk

February 7, 2008

The Honorable
Board of Mayor and Aldermen
One City Hall Plaza
Manchester, NH 03101

Honorable Members:

I am writing to advise that the Secretary of State has chosen the letter sequence for initiating rotation of names on the ballots for this year. The letter chose was "K" which this office shall use in the event of any municipal elections. It is my understanding that this rotation will be utilized in the upcoming State elections.

Should you have any questions, please do not hesitate to contact me or the Secretary of State's office.

Sincerely,

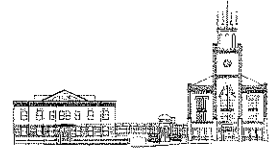

Carol A. Johnson
City Clerk

B



CITY OF MANCHESTER

Office of the City Clerk



Carol A. Johnson
City Clerk

Matthew Normand
Deputy City Clerk

February 15, 2008

The Honorable
Board of Mayor and Aldermen
One City Hall Plaza
Manchester, NH 03101

Re: Update on City Clerk Office activities

Honorable Members:

Given discussion at the last meeting of the Board, I felt it prudent to provide you with an update regarding the office activities and staffing. There are many functions and activities within the office that are currently not being undertaken or drastically falling behind. As you are aware, the office is substantially understaffed.

Items presently being impacted include the following:

- Agendas (incomplete, late or lacking information)
- Minutes (not completed)
- Follow up correspondence (couple meetings behind)
- Official recording of documents & minutes (months behind)
- Traffic regulations recording (about one year behind)
- Duplicate & deleted voters clean up – about 3,000 pending and climbing
- Voter history (incomplete)
- UWAC HAVA voters – not being entered for next cycle
- Voter registration filing – (incomplete since November 2007)
- Cash receipts – not being entered on system
- Alarm permits (not being issued though collecting money
– past due billing 6 months behind)
- Business Licenses – (minimal inspections being conducted – no retail follow up)
- NET TEAM (little to no follow up at present)
- Dog license (renewals not in process)
- Business licenses (renewals not in process)
- Work piles – beginning to interfere with productivity
- Budget for FY2009 and current analysis cannot be completed
- Future planning and upcoming needs for the elections are not being addressed.
- Voter registration (over 4,000 yet to enter)

Board of Mayor and Aldermen
February 15, 2008
Page 2

While, I am pleased to announce that we have filled one Administrative Assistant III position who will officially join our staff on March 3rd, the listing of items will continue to grow until all positions are filled. Revenues, which offset positions, will not be realized this year, and all customer service areas will and are now being impacted. We will do our best to continue to service our customer base, including the Board, and meet the statutory obligations we can. If necessary we will adjust the hours of service provided at the counter.


Mayor Guinta and I met on February 11th and two positions of the five approved by the Board on February 5th have now been released for advertising. (Admin. Asst. II and Vital Records/Leg. Supervisor). One position is anticipated to be filled from within. The supervisory position is currently posted within the department, awaiting outside advertising. I have requested of Mr. Thomas that any vacant positions resulting through transfer be advertised immediately. The remaining positions are being held.

On two occasions I have requested that the Mayor address our shortfalls within salary, as we are presently anticipating a shortfall of at least \$60,000 presuming we continue to await filling these positions. If this shortfall is not addressed through salary adjustment, I would request the Board transfer funds from another account to cover our overages.

Staff have now been requested to work overtime in attempts to meet the most critical needs. This action will have a serious impact our salary line budget while providing only a minor solution to the overall problems. We continue to employ some election workers to assist.

I will be present at the meeting to answer any questions the Board may have regarding these matters. For your reference, I have enclosed a copy of the functional activity breakout of our department and the most recent organizational chart adopted by the Board.

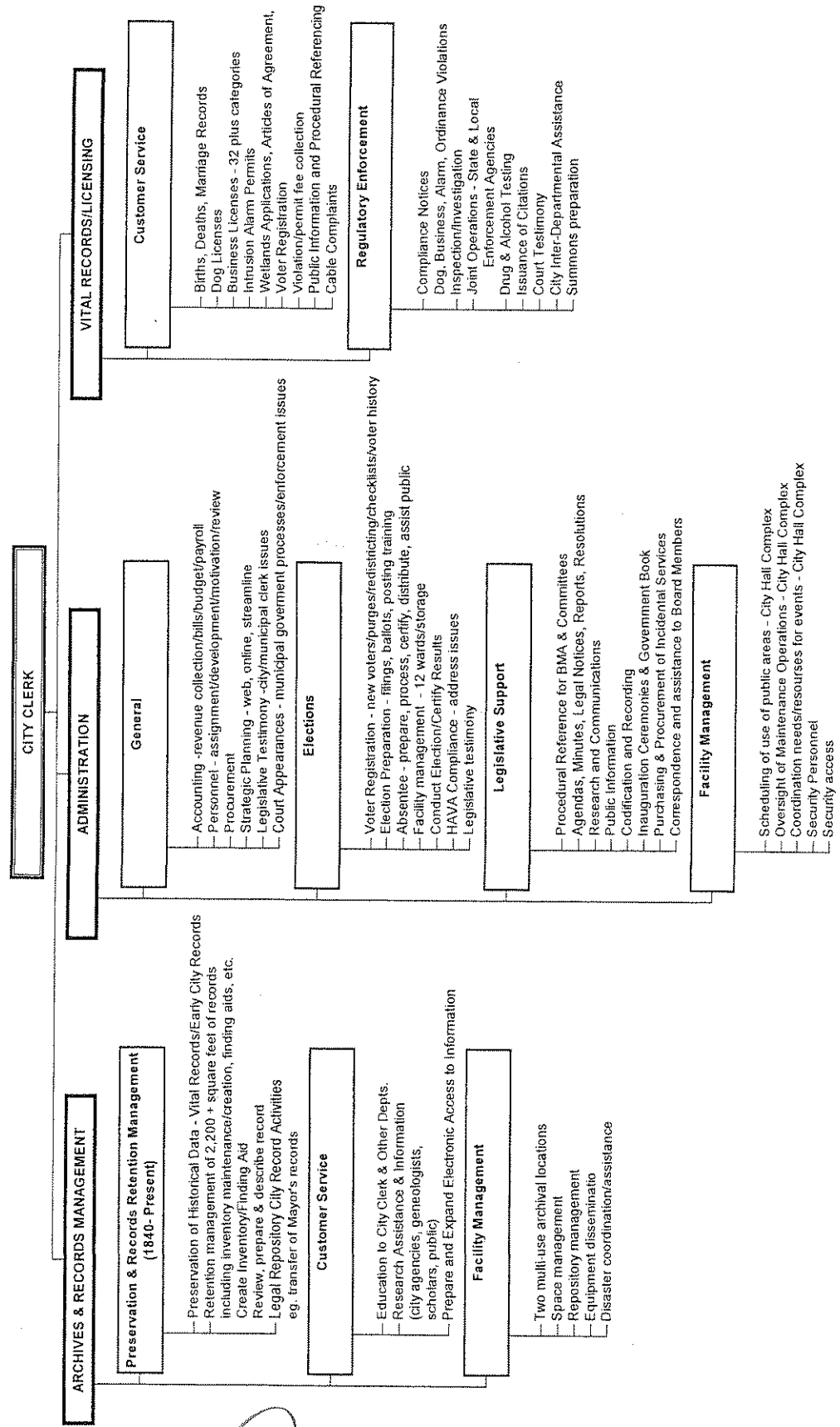
Sincerely,


Carol A. Johnson
City Clerk

C-2

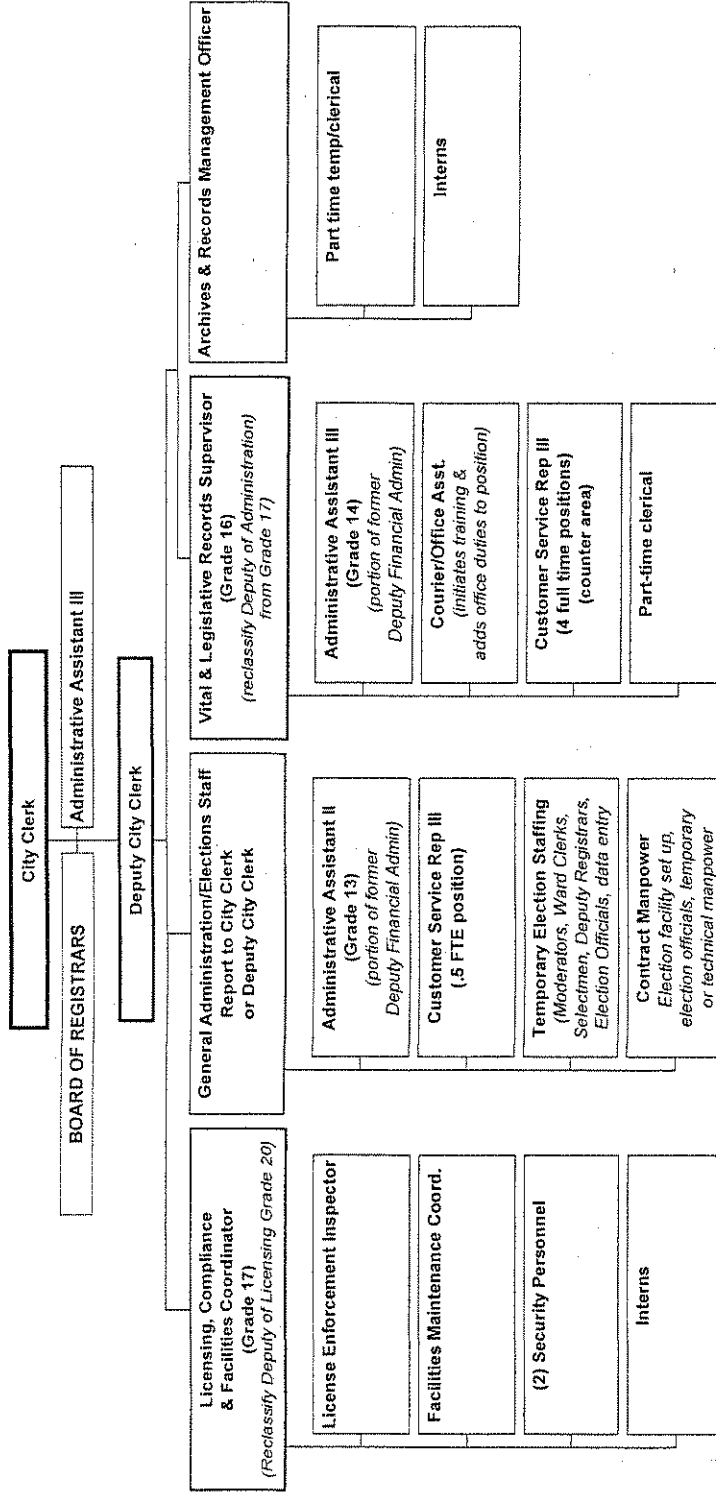
OFFICE OF THE CITY CLERK

FUNCTIONS, PROGRAMS AND ACTIVITIES



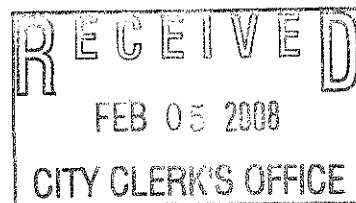
Office of City Clerk

PROPOSED ORGANIZATIONAL PLAN - January 23, 2008





Comcast Cable
54 Regional Drive
Concord, NH 03301



February 4, 2008

Board of Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, N.H. 03101

Dear Mayor Guinta and members of the Board:

Enclosed is the Comcast franchise fee payment for the fourth quarter of 2007, along with a backup detailed accounting sheet. If you have any questions regarding this payment, please feel free to contact me at 603-224-0957 ext. 202.

Sincerely,

Bryan Christiansen
Sr. Manager of Government & Community Relations

Enclosed:

Check number: 289196970, \$330,238.65

D

COMCAST
NORTH CENTRAL DIVISION

CITY OF MANCHESTER
Period: Oct. 1, 2007 thru Dec. 31, 2007

Totals

Totals By Service:

Basic Service Revenue	\$ 4,520,485.72
Pay Service Revenue 1	\$ 1,001,073.63
Other Revenue 2	\$ 545,772.13
Digital Revenue	\$ 976,040.50
Late Fee Revenue	\$ 32,522.11
Subtotal	<u>\$ 7,075,894.09</u>

Totals By Non Service:

Leased Access Revenue	\$ 35,642.78
Less Bad Debt	\$ (190,275.97)
Subtotal	<u>\$ (154,633.19)</u>

Total Gross Revenue	\$ 6,921,260.90
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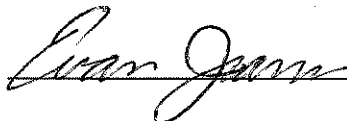
Franchise Fee 4Q (5%)	\$ 346,063.04
True Up *	\$ (15,824.39)
Franchise Fee 4Q Due	<u>\$ 330,238.65</u>

1 - Pay Service includes all Pay Channels and Pay Per View Movie/Event revenue.

2 - Other Revenue includes converter, remote, installation, TV Guide,
wire maintenance and other misc. billing adjustments.

* Pay service revenue was overstated in previous payments due to CDV revenue inadvertently being included.
(If you have any questions regarding this payment, please call Evan Jeanes at 603-628-3748).

Authorized Comcast Representative:

_____

Date: 1/11/08

FORM B : COPY FOR TOWN (SUMMARY)

D-2

SYSTEM NAME: COMCAST OF NEW ENGLAND

FRANCHISE NAME: CITY OF MANCHESTER, NH

PAID TO: CITY OF MANCHESTER

TERM: 2007 QUARTERLY

Type	REVENUE Category	OCT 07	NOV 07	DEC 07	Total 4th Qtr
Service	Basic Revenue	\$ 1,533,116.08	\$ 1,497,527.20	\$ 1,489,842.44	\$ 4,520,485.72
Service	Premium / Pay Revenue	\$ 326,950.52	\$ 336,987.55	\$ 337,135.56	\$ 1,001,073.63
Service	Other Revenue	\$ 179,770.61	\$ 179,573.48	\$ 186,428.04	\$ 545,772.13
Service	Digital Revenue	\$ 297,107.61	\$ 334,952.63	\$ 343,980.26	\$ 976,040.50
Service	Late Fee Revenue	\$ 10,639.27	\$ 10,953.79	\$ 10,929.06	\$ 32,522.11
SUB TOTAL SUBSCRIBER REVENUE		\$ 2,347,584.09	\$ 2,359,994.65	\$ 2,368,315.36	\$ 7,075,894.09
Non Service	Leased Access Revenue	\$ 10,927.61	\$ 11,286.47	\$ 13,428.69	\$ 35,642.78
Non Service	Bad Debt	\$ (70,317.63)	\$ (57,690.10)	\$ (62,268.24)	\$ (190,275.97)
SUB TOTAL NON SUBSCRIBER REVENUE		\$ (59,390.02)	\$ (46,403.63)	\$ (48,839.55)	\$ (154,633.19)
TOTAL REVENUE		\$ 2,288,194.07	\$ 2,313,591.01	\$ 2,319,475.81	\$ 6,921,260.90
FRANCHISE FEE %		5.00%	5.00%	5.00%	5.00%
LOB 01	Cable franchise fee	\$ 117,379.20	\$ 117,999.73	\$ 118,415.77	\$ 353,794.70
LOB 36	Ad sales franchise fee	\$ (2,969.50)	\$ (2,320.18)	\$ (2,441.98)	\$ (7,731.66)
TOTAL FRANCHISE FEE DUE		\$ 114,409.70	\$ 115,679.55	\$ 115,973.79	\$ 346,063.04

FORM A : COPY FOR TOWN (DETAIL)

D-3



COMCAST FINANCIAL AGENCY CORPORATION

A Comcast Cable Communications Group Company
Northern Division Office
676 Island Pond Road
Manchester, NH 03109

REMITTANCE ADVICE

No. 289196970

Date : 17-JAN-08

Vendor Name : MANCHESTER CITY OF N

Vendor No. : 154772

INVOICE NO.	INVOICE DATE	DESCRIPTION	DISCOUNT AMOUNT	NET AMOUNT
314CR01100	10-JAN-08	1D BETTY 10/01/07 - 12/31/07	0.00	330,238.65
TOTAL			0.00	330,238.65

THE FACE OF THIS DOCUMENT HAS A MULTI COLORED BACKGROUND, NOT A WHITE BACKGROUND



COMCAST FINANCIAL AGENCY CORPORATION
A Comcast Cable Communications Group Company
Northern Division Office
676 Island Pond Road
Manchester, NH 03109



Bank One, NA
Columbus, OH



No. 289196970

56-1544 / 441
675528343

Date 17-JAN-08

Void After 180 Days

Pay Three Hundred Thirty Thousand Two Hundred Thirty-Eight Dollars And
65 Cents*****

\$

****330,238.65

To
The
Order
Of
MANCHESTER CITY OF NH
BOARD OF MAYOR & ALDERMAN PEG
1 CITY HALL PLAZA
MANCHESTER, NH 03101

Authorized Signature

Authorized Signature

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

⑈ 289196970⑈ ⑆ 044115443⑆

675528343⑈

**MANCHESTER
TRANSIT AUTHORITY**

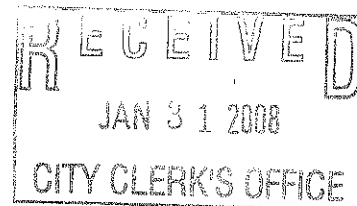
110 ELM STREET, MANCHESTER, NH 03101-2799
TELEPHONE (603) 623-8801
FAX (603) 626-4512



JOHN H. TRISCIANI, CHAIR
PETER ESCALERA, VICE CHAIR
JOSEPH DESELLE
MAUREEN A. NAGLE
CAROL WILLIAMS

DAVID SMITH
EXECUTIVE DIRECTOR

January 30, 2008



Ms. Carol Johnson, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Dear Carol,

The MTA Commissioners held a monthly Commission Meeting on Tuesday, January 29, 2008. Enclosed are the approved Minutes of the January 8, 2008 Commission Meeting, December 2007 Financial Report, and December 2007 Ridership Report.

The next scheduled Commission Meeting will be Tuesday, February 26, 2008 at 5:00 PM.

If you should have any questions, please feel free to contact me at extension 612.

Very truly yours,

David Smith
Executive Director

DS:cr

Enclosures

E

MANCHESTER TRANSIT AUTHORITY

110 ELM STREET, MANCHESTER, NH 03101-2799
TELEPHONE (603) 623-8801
FAX (603) 626-4512



JOHN H. TRISCIANI, CHAIR
PETER ESCALERA, VICE CHAIR
JOSEPH DESELLE
MAUREEN A. NAGLE
CAROL WILLIAMS

DAVID SMITH
EXECUTIVE DIRECTOR

Manchester Transit Authority

January 8, 2008 Commission Meeting

MEMBERS PRESENT:

Chairman John H. Trisciani
Vice Chairman Peter Escalera
Commissioner Joseph Deselle
Commissioner Maureen A. Nagle

MEMBERS ABSENT:

Commissioner Carol Williams

PERSONNEL PRESENT:

David Smith, Executive Director
Karyn Bennett, Assistant Executive Director
William J. Cantwell, Supt. of Administration
Paul Beauregard, Shop Manager

PERSONNEL ABSENT:

Michael Whitten, Operations Planning Manager

1. a. Chairman TRISCIANI called the meeting to order at 5:05 PM.
- b. Approve Minutes of November 27, 2007 Commission Meeting. DESELLE
made a motion to approve the Minutes of November 27, 2007 Commission
Meeting. Seconded by NAGLE. All Commissioners present in favor.

MANAGEMENT REPORTS

2. a. Financial Report for November 2007. NAGLE made a motion to approve the
Financial Report for November 2007. Seconded by DESELLE.
Transit Operation: CANTWELL reported revenues were \$8,891 (2.99%) more
than budget. Farebox, ticket, and shuttle revenue was \$3,492 (12.71%) more than
budget. Shopping shuttle income was billed and posted in December. Farebox
income averaged approximately \$856 per day. Expenses were \$11,194 (3.37%)

E-2

more than budget. The most significant variances were \$18,700 for the annual outside audit and installment of new maintenance software for \$25,000. Both costs were shared equally between transit and school operations.

School Operation: CANTWELL reported revenue was \$8,072 (3.85%) less than budget. School charter revenue is in-line with budget. Expenses were \$2,740 (1.06%) less than budget. Expenses followed the budget with the same variances as transit for the outside audit and maintenance software.

ESCALERA questioned the \$25,000 split between transit and school operations for the maintenance software program. CANTWELL explained the transit division paid \$12,500 and half of that amount has been paid with an FTA grant (\$6,250). The school operation paid \$12,500.

The check register was reviewed. No questions from the Board.

The accounts receivable was reviewed. SMITH said most of the 60/90 day school charters have been paid, with the exception of the School District's retention.

All Commissioners present in favor of approving November 2007 Financial Report.

b. **Operations Reports for October 2007.**

Transit-School Report:

Transit: BENNETT reported the Accident Review Committee met and a representative from Ferdinando Insurance was present to offer guidance. She and WHITTEN attended the US Department of Health & Human Services and the Centers for Disease Control and Prevention sponsored a table top exercise and discussed ways to improve the ability to isolate and quarantine individuals effectively in the event of a major outbreak of a communicable disease. Staff also

attended a table top exercise at Manchester Airport's Fire Department to review operating procedures in the event of an evacuation. The COA Committee continues to meet and research route changes. During the month SMITH made a presentation at the Granite State Independent Living's (GSIL) peer group meeting.

School: BENNETT reported they started service to Mt. Zion on Titus Ave.

Ridership has been very low and the School District is getting information out to parents about bus transportation. Barbara Gagne, School District, has been coming to the office once a week so drivers can talk to her about issues with their school routes.

Transit-School Statistics Ridership Report: SMITH reported ridership for the month was slightly down from same month last year with 1 less weekday, but 1 more Saturday. Bridge Street, Prospect Street, and D. W. Highway routes have shown significant ridership increases. Elliot Hospital route is up 6% because it travels to E. Industrial Park. The Front Street route decreased because there is no Saturday service.

Maintenance Report: BEAUREGARD reported they did 12 transit, 2 E&H, and 28 school bus inspections during the month. One school bus was towed and there was 1 transit road call. There was no overtime, no on the job injuries, and they did 8 City repair work orders.

NEW BUSINESS

3. a. **FY 2009 – 2010 Community Improvement Program (CIP).** SMITH said CIP projects were due December 28, 2007. He explained we get our 20% capital funding (10% for buses) from the City to match federal funds. The City has been

very supportive in recent years to fund replacement of all the older transit buses and vans. The only bus that needs to be replaced is 98-01. Since this is a 2-year program, they drew projects from the Transportation Improvement Program (TIP) and the State of NH's TIP. The projects include replacement of supervisory automobile (1998 Crown Victoria) and capital maintenance replacements. Improvements at the Transportation Center need to be made. For FY 2010 he programmed bus shelters and replacement of 2 lift-equipped vans. TRISCIANI suggested working with the advertising company to see if they would be willing to replace MTA shelters with ad shelters. SMITH also programmed 2 new buses for the Downtown Circulator service. NAGLE made a motion to approve FY 2009 – 2010 Community Improvement Program. Seconded by DESELLE. All Commissioners present in favor

- b. **2007 FTA Triennial Review – School Bus Issue.** SMITH explained this review is done to check MTA's compliance with Federal regulations. The auditor did a site review in August and found 2 deficiencies that we took care of immediately, but there was an advisory comment regarding our school bus operation that needed to be addressed. We began working thoroughly on documenting the history of the school bus operation exemption and submitted documentation and a letter in hopes to resolve this issue. We are grandfathered under the exemption that yellow school bus service was operated by our predecessor, the private operator, and it has been continued since then and predated the regulation that federal transit funded systems cannot operate school bus service. The exemption was self-executing. The reviewer reads the regulation that we have to prove our

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exemption to the FTA Administrator, which is not a proper interpretation in our view.

- c. **Amend MTA Drug & Alcohol Policy.** BENNETT stated the last amendment to the MTA's Drug & Alcohol Policy was in 1998 and there are new regulations since then. She explained there are no functional changes; we are not changing the way we administer the Drug & Alcohol Policy, just adding specifics that the FTA wants in the Policy. We are also distinguishing between transit and school operations since employees are covered by two federal agencies. TRISCIANI asked if all employees would get a copy of the policy. BENNETT said they would be conducting meetings with all employees to go over the amended policy. NAGLE made a motion to approve amending the Drug & Alcohol Policy as presented. Seconded by ESCALERA. All Commissioners present in favor.

OLD BUSINESS

4. a. **Cost to Run Service on Holiday – Veterans Day.** SMITH said CANTWELL did a cost analysis on how much it would cost to operate transit service on the Veterans Day holiday. SMITH said if we operate weekday level of service it would cost about \$4,000, if we operate Saturday level of service about \$2,500. SMITH would not recommend considering Saturday level of service. TRISCIANI said since we didn't receive complaints for not running on Veterans' Day this year, and have always observed that holiday in the past, he recommended continuing the practice of closing on Veterans Day. All Board Members present agreed.
- b. **Transit Management Contract.** SMITH explained the Board received a draft of the Management Contract forwarded to Attorney Scott Ellison and First Transit

for review. While he was on vacation, First Transit responded with some changes. He explained the former contract required each party indemnify the other and there was an insurance provision that required the MTA carry a minimum of \$5M liability coverage. MTA carries \$5M, plus \$10M umbrella, and the concern was if there was a large claim that First Transit would be protected for the first \$5M but not beyond and could be required, if sued, to pay everything over \$5M, so this is being addressed by the attorneys.

OTHER BUSINESS

5. a. **Bedford & Goffstown Subsidy.** TRISCIANI asked the status of the Bedford and Goffstown subsidy requests for transit service. SMITH had not made contact yet.
- b. **Closing Vista Foods on McGregor St.** BENNETT explained to the Board that we have a shopping shuttle that goes to Vista Foods on Tuesday and Thursdays. This bus picks up passengers, free of charge, at Manchester Housing Authority complexes. We also have shopping shuttles dedicated to Hannaford Supermarket (Eastside Plaza) on Mondays and Fridays, and Stop & Shop (Valley St.) on Wednesdays. The stores subsidize this service. BENNETT has been contacted by Shaw's on So. Willow Street asking if they could get direct service on our fixed route buses. Fixed route service presently goes into Stop & Shop on Valley and So. Willow Streets, Shaw's on Mast Road, Hannaford's at East & North Side Plazas and Mast Road. BENNETT said it is not feasible to have fixed route service going into Shaw's on So. Willow Street but feels this is the perfect opportunity to set up a shopping shuttle for them now that Vista Foods is closing. The gentleman she spoke to is bringing this to corporate because they would have

to pay for this service. She is going to split Vista's Tuesdays' and Thursdays' schedule between Stop & Shop and Hannaford's until she hears from Shaws.

- c. **City Budget FY 2009-2010.** SMITH said the budget presentation is due the end of January. The Mayors' instructions state it will be a 2-year presentation. The Mayor is looking for a current level budget from all departments and the second year will be 3%. The City Departments have been asked to show a budget reduction from last year, last years' dollar level, and a budget 3% above last years' dollar level and show the impact. The Mayor instructed that we present our budget as we have done in the past and not do 3 alternative budgets like the City Departments. This will be a challenging budget at 3% because the COA implementation and changes made in December have increased our costs for current level service. We also have to consider the grant funded projects that would be added in FY 2009 and 2010; the New Freedoms project, Job Access Reverse Commute project, and operating cost of the CMAQ project for downtown shuttle in 2010. He and CANTWELL will present the budget at the next Board Meeting.
- d. **Wal-Mart Bus Shelter.** ESCALERA asked the status of the bus shelter erection at Wal-Mart in Manchester. SMITH said although they are not funding the project, Wal-Mart needs an approval letter from corporate to allow construction on their property. We don't need an easement from the City, just a letter of approval. We are still waiting to hear from Wal-Mart. Mr. Red Robidas is assisting the MTA.
- e. **Date for Next Meeting.** Tuesday, January 29, 2007.

With no further business to come before the Board, NAGLE made a motion to adjourn the meeting at 6:15 PM. Seconded by ESCALERA. All Commissioners present in favor.



Transit

December 2007

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Manchester Transit Authority
Income Statement Transit
For the Six Months Ending December 31, 2007

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD</u> <u>Budget</u>	<u>YTD</u> <u>Net Change</u>
Farebox Revenue					
Farebox Revenue	\$20,475.79	\$17,625.00	\$119,915.87	\$107,160.00	\$12,755.87
Adult Fares	1,313.75	2,300.00	10,223.75	13,800.00	(3,576.25)
Adult Monthly Fares	1,023.00	2,400.00	20,305.00	14,400.00	5,905.00
Senior Citizens Fares	510.00	1,000.00	4,910.00	6,000.00	(1,090.00)
Senior Citizen Monthly Fare	735.00	1,000.00	5,960.50	6,000.00	(39.50)
Disabled Rider Fare	1,605.70	1,750.00	11,690.45	10,500.00	1,190.45
Student Fares	2,107.50	850.00	3,957.50	5,100.00	(1,142.50)
Total Farebox and Tickets	27,770.74	26,925.00	176,963.07	162,960.00	14,003.07
Shuttle and Excursions					
Shopping Shuttle	2,400.00	1,260.00	7,500.00	7,560.00	(60.00)
Excursion Revenue			1,322.00	2,880.00	(1,558.00)
Total Shuttle and Excursions	2,400.00	1,260.00	8,822.00	10,440.00	(1,618.00)
Other Revenue					
Sale of Fuel to City Departments	34,822.49	28,750.00	190,999.13	172,500.00	18,499.13
Sale of Maintenance Service to City	204.04	2,000.00	7,818.00	12,000.00	(4,182.00)
Advertising Revenue-Bus	4,325.78	5,500.00	36,162.78	33,000.00	3,162.78
Sale of Vehicles and Equipment			1,800.00		1,800.00
Sale of Scrap Materials			275.43		275.43
Interest Income	501.95	750.00	5,760.39	4,500.00	1,260.39
Photo Picture ID Revenue	6.00	25.00	110.00	150.00	(40.00)
Other Non-Transp. Revenue	354.82	25.00	734.57	166.00	568.57
Total Other Revenue	40,215.08	37,050.00	243,660.30	222,316.00	21,344.30
Total Operational Income	70,385.82	65,235.00	429,445.37	395,716.00	33,729.37
Operating Assistance					
City of Manchester	98,059.50	98,060.00	588,357.00	588,360.00	(3.00)
Town of Bedford	3,600.00	3,600.00	21,600.00	21,600.00	
State of New Hampshire			34,000.00	34,000.00	
Federal Operating Subsidy	142,106.00	131,090.00	781,518.00	791,352.00	(9,834.00)
Total Operating Assistance	243,765.50	232,750.00	1,425,475.00	1,435,312.00	(9,837.00)
Total Revenue	314,151.32	297,985.00	1,854,920.37	1,831,028.00	23,892.37
Expenses					
Labor					
Transit Operator Wages	68,838.66	57,608.00	375,811.62	354,364.00	21,447.62
Transit Operator Overtime Wages	11,724.49	7,324.00	45,482.18	45,152.00	330.18
StepSaver Operator Wages	9,716.76	12,578.00	67,799.24	78,344.00	(10,544.76)
StepSaver Operator Overtime Wages	1,090.72	1,831.00	14,283.90	11,288.00	2,995.90
Mechanic Wages	14,112.21	11,401.00	73,692.15	71,822.00	1,870.15
Mechanic Overtime Wages	3,009.73		3,754.76		3,754.76
Transp. Admin Wages	10,701.11	8,843.00	67,582.21	55,706.00	11,876.21
Transp. Admin Overtime Wages	650.26	175.00	4,750.62	1,050.00	3,700.62
Maint. Admin Wages	3,542.84	3,483.00	19,859.43	21,944.00	(2,084.57)
Maint. Admin Overtime Wages			10.93		10.93
General Admin Wages	8,188.58	6,691.00	48,124.79	42,154.00	5,970.79
Gen. Admin Overtime Wages	11.99	113.00	243.28	678.00	(434.72)
Total Labor	131,587.35	110,047.00	721,395.11	682,502.00	38,893.11

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Manchester Transit Authority
Income Statement Transit
For the Six Months Ending December 31, 2007

	Current	Budget	YTD	YTD Budget	YTD Net Change
Fringe Benefits					
Health Insurance Expense	\$45,933.32	\$53,140.00	\$281,034.63	\$322,440.00	(\$41,405.37)
Dental Insurance Expense	1,100.99	1,245.00	7,556.44	7,470.00	86.44
Life Insurance Expense	620.44	676.00	3,467.44	4,056.00	(588.56)
Pension Expense	7,424.00	6,656.00	36,416.00	39,936.00	(3,520.00)
FICA Expense	11,020.14	10,859.00	67,823.04	67,364.00	459.04
Worker's Compensation	4,637.00	4,436.00	27,926.27	27,530.00	396.27
Unemployment Compensation	366.00	366.00	2,196.00	2,196.00	
Transit Operator Vacation Wages	5,097.32	5,017.00	36,862.20	30,102.00	6,760.20
Transit Operator Holiday Wages	6,800.09	3,923.00	32,672.08	25,500.00	7,172.08
Transit Operator Sick Wages	4,627.31	3,923.00	18,767.70	23,538.00	(4,770.30)
Mechanic Vacation Wages	2,137.86	1,395.00	9,515.90	8,370.00	1,145.90
Mechanic Holiday Wages	2,043.58	1,224.00	10,187.38	7,344.00	2,843.38
Mechanic Sick Wages	1,155.91	94.00	2,286.56	564.00	1,722.56
Transp. Admin Vacation Wages	1,478.98	1,258.00	8,299.98	7,548.00	751.98
Transp. Admin Holiday Wages	2,747.59	1,382.00	9,864.92	8,292.00	1,572.92
Transp. Admin Sick Wages	1,003.68	674.00	2,687.94	4,044.00	(1,356.06)
Maint. Admin Vacation Wages	1,589.39	827.00	5,829.53	4,962.00	867.53
Maint. Admin Holiday Wages	845.27	563.00	3,702.72	3,378.00	324.72
Maint. Admin Sick Wages		99.00	8,225.92	594.00	7,631.92
Gen Admin. Vacation Wages	1,563.40	828.00	5,338.46	4,968.00	370.46
Gen. Admin Holiday Wages	1,851.40	843.00	6,216.63	5,058.00	1,158.63
Gen. Admin Sick Wages		149.00	325.29	894.00	(568.71)
Transit Uniform Allowance	717.25	779.00	3,049.86	4,674.00	(1,624.14)
Maintenance Uniform Allowance	380.02	560.00	2,452.11	3,979.00	(1,526.89)
Tool Allowance		100.00	1,992.00	600.00	1,392.00
License Reimbursement		42.00	10.00	252.00	(242.00)
Burden Adjustment	(11,088.23)	(15,580.00)	(71,705.58)	(92,418.00)	20,712.42
Total Fringe Benefits	94,052.71	85,478.00	523,001.42	523,235.00	(233.58)
Services					
Management Consultant	12,127.04	12,917.00	86,597.73	77,502.00	9,095.73
Commissioner Expense	4.68	83.00	63.73	498.00	(434.27)
Auditing Expense			6,428.00	6,000.00	428.00
Legal Expense	585.04	583.00	1,456.24	3,498.00	(2,041.76)
Service Bureau	682.22	630.00	2,700.59	3,780.00	(1,079.41)
Security Service	40.73	83.00	676.65	498.00	178.65
Outside Advertising	525.46	417.00	5,003.67	2,502.00	2,501.67
Drug & Alcohol Testing	159.30	583.00	753.30	3,498.00	(2,744.70)
Pre-Employment Medical	53.10	83.00	685.94	498.00	187.94
Janitorial Service and Supplies	588.34	667.00	3,969.92	4,002.00	(32.08)
Bank Service Charges	495.95	650.00	2,977.67	3,900.00	(922.33)
Total Services	15,261.86	16,696.00	111,313.44	106,176.00	5,137.44
Materials and Supplies					
Fuel Operations	25,290.08	20,059.00	140,463.57	123,097.00	17,366.57
Sale of Fuel to City Departments	34,077.12	28,125.00	181,212.10	168,750.00	12,462.10
Maintenance Parts	1,987.89	9,850.00	17,113.54	60,176.00	(43,062.46)
Purchase Discounts	(114.45)	(250.00)	(702.92)	(1,500.00)	797.08
Tires Expense		1,085.00	6,193.46	6,659.00	(465.54)
Oil and Grease	274.17	365.00	1,881.59	2,239.00	(357.41)
Maintenance Supplies	428.74	863.00	6,133.93	5,172.00	961.93
Body Shop Supplies	121.61	720.00	3,159.45	4,320.00	(1,160.55)

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Manchester Transit Authority
Income Statement Transit
For the Six Months Ending December 31, 2007

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD</u> <u>Budget</u>	<u>YTD</u> <u>Net Change</u>
Hazardous Materials		\$90.00		\$540.00	(\$540.00)
Outside Parts and Labor	360.09	83.00	610.09	498.00	112.09
Repairs-Inner City Terminal	116.50	250.00	116.50	1,500.00	(1,383.50)
Repairs-Building and Grounds	1,232.41	883.00	7,021.72	5,302.00	1,719.72
Repairs-Shop Equipment	3.47	270.00	1,620.88	1,620.00	0.88
Repairs-Radio Equipment		42.00		252.00	(252.00)
Repairs-Office Equipment	280.03	367.00	2,008.72	2,202.00	(193.28)
Office Supplies	208.72	917.00	3,633.54	5,502.00	(1,868.46)
Transit Schedules and Tickets	3,740.00	1,250.00	7,613.70	7,500.00	113.70
Total Materials and Supplies	68,006.38	64,969.00	378,079.87	393,829.00	(15,749.13)
Utilities					
Electricity	2,089.69	1,988.00	10,068.81	11,928.00	(1,859.19)
Natural Gas	2,434.08	1,500.00	2,786.03	2,100.00	686.03
Telephone	961.79	663.00	4,118.67	3,978.00	140.67
Water	155.43	159.00	942.99	954.00	(11.01)
Total Utilities	5,640.99	4,310.00	17,916.50	18,960.00	(1,043.50)
Insurance					
Public Liability Insurance	11,361.00	11,969.00	68,162.00	71,814.00	(3,652.00)
Other Liability	885.00	1,204.00	5,317.64	7,224.00	(1,906.36)
Total Insurance	12,246.00	13,173.00	73,479.64	79,038.00	(5,558.36)
Other Expenses					
Dues and Memberships	99.12	83.00	331.66	498.00	(166.34)
Tolls and Parking			10.00		10.00
Training and Meetings	38.98	250.00	924.69	1,500.00	(575.31)
Grievance Expense		38.00		228.00	(228.00)
Depreciation	36,000.00	36,000.00	216,000.00	216,000.00	
Total Other Expenses	36,138.10	36,371.00	217,266.35	218,226.00	(959.65)
Total Expenses	362,933.39	331,044.00	2,042,452.33	2,021,966.00	20,486.33
Net Income (Loss)	(48,782.07)	(33,059.00)	(187,531.96)	(190,938.00)	3,406.04

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School

December 2007

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Manchester Transit Authority
Income Statement School
For the Six Months Ending December 31, 2007

	Current	Budget	YTD	YTD Budget	YTD Net Change
Student Transportation					
Pupil Contract	\$166,708.91	\$166,709.00	\$986,090.82	\$1,000,254.00	(\$14,163.18)
Manchester Skill Center	9,896.25	10,598.00	59,377.80	63,588.00	(4,210.20)
Special Needs	11,310.00	13,572.00	67,860.00	76,908.00	(9,048.00)
Total Student Transportation	187,915.16	190,879.00	1,113,328.62	1,140,750.00	(27,421.38)
School Charter					
Student Athletics	7,043.60	6,500.00	55,962.55	53,500.00	2,462.55
Student Fieldtrips	8,608.80	9,000.00	43,275.65	43,000.00	275.65
Total School Charters	15,652.40	15,500.00	99,238.20	96,500.00	2,738.20
Other Revenue					
Sale of Vehicles and Equipment			4,000.00		4,000.00
Interest Income	106.04	100.00	1,499.95	600.00	899.95
Other Non-Transp. Revenue			930.30		930.30
Total Other Revenue	106.04	100.00	6,430.25	600.00	5,830.25
Total Operational Income	203,673.60	206,479.00	1,218,997.07	1,237,850.00	(18,852.93)
Expenses					
Labor					
School Operator Wages	73,039.33	82,234.00	384,190.36	407,052.00	(22,861.64)
School Operator Overtime Wages	1,014.98	2,544.00	12,863.76	12,752.00	111.76
Transit Operator Wages	6.52	212.00	6.52	978.00	(971.48)
Transit Operator Overtime Wages	379.82		1,079.41		1,079.41
Mechanic Wages	5,422.27	9,518.00	54,140.91	59,961.00	(5,820.09)
Transp. Admin Wages	7,523.44	6,961.00	45,550.10	43,854.00	1,696.10
Transp. Admin Overtime Wages	368.12	408.00	1,319.77	2,448.00	(1,128.23)
Maint. Admin Wages	2,810.79	3,239.00	16,532.42	20,406.00	(3,873.58)
General Admin Wages	2,944.04	3,768.00	20,562.05	23,741.00	(3,178.95)
Gen. Admin Overtime Wages		32.00		192.00	(192.00)
Total Labor	93,509.31	108,916.00	536,245.30	571,384.00	(35,138.70)
Fringe Benefits					
Health Insurance Expense	129.62		1,541.63		1,541.63
Dental Insurance Expense	18.11		215.15		215.15
FICA Expense	8,436.41	8,180.00	37,431.31	41,199.00	(3,767.69)
Worker's Compensation	3,159.00	3,536.00	18,950.84	17,118.00	1,832.84
School Operator Vacation Wages	6,079.50	6,215.00	6,079.50	6,215.00	(135.50)
School Operator Holiday Wages	3,631.64	1,660.00	15,789.63	16,618.00	(828.37)
School Uniform Allowance	338.74	547.00	1,309.61	3,282.00	(1,972.39)
Maintenance Uniform Allowance	26.40		76.40		76.40
Tool Allowance			408.00		408.00
License Reimbursement	230.00	250.00	1,590.00	1,500.00	90.00
Burden Adjustment	11,088.23	15,580.00	71,705.58	92,418.00	(20,712.42)
Total Fringe Benefits	33,137.65	35,968.00	155,097.65	178,350.00	(23,252.35)
Services					
Management Consultant	12,127.04	12,917.00	86,597.74	77,502.00	9,095.74
Commissioner Expense	4.68	83.00	57.22	498.00	(440.78)

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Manchester Transit Authority
Income Statement School
For the Six Months Ending December 31, 2007

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD</u> <u>Budget</u>	<u>YTD</u> <u>Net Change</u>
Auditing Expense			\$9,642.00	\$9,000.00	\$642.00
Legal Expense	877.56	583.00	2,184.36	3,498.00	(1,313.64)
Service Bureau	692.24	1,045.00	5,045.99	6,270.00	(1,224.01)
Security Service	61.11	125.00	1,014.75	750.00	264.75
Outside Advertising		833.00	633.95	4,998.00	(4,364.05)
Driver and Criminal Record	135.75		1,549.25		1,549.25
Drug & Alcohol Testing	639.67	667.00	3,222.67	4,002.00	(779.33)
Pre-Employment Medical		250.00	2,689.70	1,500.00	1,189.70
Janitorial Service and Supplies	588.38	667.00	3,970.09	4,002.00	(31.91)
Total Services	15,126.43	17,170.00	116,607.72	112,020.00	4,587.72
Materials and Supplies					
Fuel Operations	19,074.59	19,658.00	94,406.32	93,193.00	1,213.32
Maintenance Parts	2,955.10	5,436.00	28,165.80	25,772.00	2,393.80
Tires Expense		1,528.00	7,991.79	7,243.00	748.79
Oil and Grease	250.34	304.00	1,934.15	1,443.00	491.15
Maintenance Supplies	209.96	720.00	5,460.30	4,320.00	1,140.30
Body Shop Supplies	98.83	613.00	2,484.87	3,678.00	(1,193.13)
Hazardous Materials		77.00		462.00	(462.00)
Outside Parts and Labor		83.00		498.00	(498.00)
Repairs-Building and Grounds	1,008.36	783.00	4,843.96	4,698.00	145.96
Repairs-Shop Equipment	2.96	230.00	749.26	1,380.00	(630.74)
Repairs-Radio Equipment		42.00		252.00	(252.00)
Repairs-Office Equipment	238.56	300.00	1,689.11	1,800.00	(110.89)
Office Supplies	289.91	750.00	3,154.04	4,500.00	(1,345.96)
School Schedules and Tickets		167.00	170.20	1,002.00	(831.80)
Total Materials and Supplies	24,128.61	30,691.00	151,049.80	150,241.00	808.80
Utilities					
Electricity	1,780.12	1,763.00	8,470.63	10,578.00	(2,107.37)
Natural Gas	1,991.53	1,500.00	2,286.10	2,100.00	186.10
Telephone	846.93	588.00	3,493.98	3,528.00	(34.02)
Water	127.17	141.00	787.61	846.00	(58.39)
Total Utilities	4,745.75	3,992.00	15,038.32	17,052.00	(2,013.68)
Insurance					
Public Liability Insurance	14,335.00	15,949.00	86,001.00	95,692.00	(9,691.00)
Other Liability	741.00	1,009.00	4,444.98	6,054.00	(1,609.02)
Total Insurance	15,076.00	16,958.00	90,445.98	101,746.00	(11,300.02)
Other Expenses					
Dues and Memberships	148.68	292.00	597.49	1,752.00	(1,154.51)
Tolls and Parking			20.00		20.00
Training and Meetings	248.67	417.00	1,812.11	2,502.00	(689.89)
Grievance Expense		38.00		228.00	(228.00)
Depreciation	19,757.84	21,000.00	122,630.60	126,000.00	(3,369.40)
Total Other Expenses	20,155.19	21,747.00	125,060.20	130,482.00	(5,421.80)
Total Expenses	205,878.94	235,442.00	1,189,544.97	1,261,275.00	(71,730.03)
Net Income (Loss)	(2,205.34)	(28,963.00)	29,452.10	(23,425.00)	52,877.10

E-16

Commissioners Memorandum

To: Commissioners
 From: Mike Whitten, Operations Planning Manager
 Date: January 25, 2008
 Re: Transit Ridership Report – December 2007



December

FYTD

Routes

	FY 2007	FY 2008	
Weekdays	21	20	
Saturdays	3	5	% Change

	FY 2007	FY 2008	
		106	
		21	% Change

Bridge St-Dartmouth Route #1		1,134	
Hanover-Massabesic Route #2		2,432	
Brown Ave-Airport Route #3		2,073	
Elliot-Industrial Park Route #4		2,183	
River Rd-SNHU Route #5		1,303	
Bremer-Mast Rd Route #6		3,535	
VA Hospital Route #7		1,326	
So. Willow Route #8		5,346	
DW Highway Route #9		649	
Valley-Weston Rd. Route #10		4,214	
Front St. Route #11		1,433	
So. Beech Route #12		4,106	
Bedford Highlands Route #13		4,599	

		8,485	
		17,145	
		13,901	
		12,944	
		8,308	
		20,006	
		8,336	
		28,930	
		4,826	
		21,729	
		11,161	
		21,481	
		27,606	

UPass Riders - NHCTC	396	579	46.21%
Vista Shuttle	263	191	-27.38%
Hannaford Shuttle	467	407	-12.85%
Stop & Shop Shuttle	126	101	-19.84%

	1,804	3,670	103.44%
	1,370	1,285	-6.20%
	2,639	2,451	-7.12%
	818	716	-12.47%

Weekday Fixed Route Totals	29,395	30,450	3.59%
Saturday Fixed Route Totals	4,167	4,582	9.96%
MTA Specials & Excursions	0	0	100.00%
Fixed Route Weekday Average	1,470	1,523	3.59%

	186,498	186,262	-0.13%
	23,272	23,048	-0.96%
	77	101	31.17%
	1,663	1,352	-18.67%

Total Transit Passengers Served	33,562	35,032	4.38%
---------------------------------	--------	--------	-------

	209,847	209,411	-0.21%
--	---------	---------	--------

Total StepSaver Passengers Served	864	911	5.44%
-----------------------------------	-----	-----	-------

	5,202	6,113	17.51%
--	-------	-------	--------

The attached graph shows system-wide ridership trends.

Mike Whitten
 Operations Planning Manager

E-17

Ridership Comparison Report December

Routes

FY 2008 FY 2007

20 21

FY 2008 FY 2007

106 106

FY 2008

FY 2007

5

3

% Change

Brown Ave-Airport Route #3	Airport-Route #1	1,134	2,105	-46.13%
Hanover-Massabesic Route #2	Gofffalls Route #3	2,432	3,211	-24.26%
Elliot-Industrial Park Route #4	Lake-Hanover St. Route #2	2,073	1,855	11.75%
Bremer-Mast Rd Route #6	Page-Elliot Route #4	3,535	3,670	-3.68%
Bridge St-Dartmouth Route #1	Pinard-Bremer Route #5	2,460	2,141	14.90%
VA Hospital Route #7	Gossler-St. Anselm Route #6	5,346	4,040	32.33%
So. Willow Route #8	VA Hospital Route #7	1,952	1,832	6.55%
River Rd-SNHU Route #5	So. Willow Route #8	4,214	3,657	15.23%
DW Highway Route #9	DW Highway-River Rd Route #9	1,433	1,664	-13.88%
Valley-Weston Rd. Route #10	Valley-Weston Rd. Route #10	4,106	3,083	33.18%
Front St. Route #11	Front St. Route #11	4,599	5,448	-15.58%
So. Beech Route #12	So. Beech Route #12			
Bedford Highlands Route #13	Bedford Mall Route #13			

21

21

% Change

13,901	14,064	-1.16%
17,145	19,738	-13.14%
12,944	12,007	7.80%
20,006	23,713	-15.63%
16,821	14,278	17.81%
28,930	23,734	21.89%
13,134	13,268	-1.01%
21,729	21,776	-0.22%
11,161	11,689	-4.52%
21,481	21,116	1.73%
27,606	28,704	-3.83%

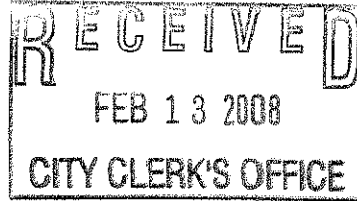
118



CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065
www.ManchesterNH.gov



February 13, 2008

Frank C. Guinta, Mayor
Office of the Mayor
One City Hall Plaza
Manchester, New Hampshire 03101

Re: Request for Funds from the Salary Adjustment Account

Dear Mayor Guinta:

The Human Resources Department has recently done a projection of its salary line item expenditures and we have concluded that we will have a deficit in April unless additional funds are authorized. Enclosed please find a copy of the projections. Owing largely, but not entirely, to severance payments to Virginia Lamberton and David Hodgen we foresee a deficit of \$101,053.00 by the end of the fiscal year. We do not expect any significant balance in our other line items; a few thousand dollars, at best.

Additionally, the projection assumes that the Employee Relations Manager/Chief Negotiator's position will not be filled after March 31, 2008. In my opinion, this position should be filled on or before April 1, 2008. Among many other things, there currently are 6 arbitration cases pending. These cases have been the responsibility of the Chief Negotiator since 1988. If this position is to be filled, an additional expense of \$18,329.00 is anticipated. See computations attached.

Therefore, the Human Resources Department respectfully requests approval of a transfer of \$101,053.00 from the Salary Adjustment Account, plus an additional \$18,329.00 if the Chief Negotiator's position is to be filled.

Please contact me if there are any questions, or if I can assist in any way.

Sincerely,

David A. Hodgen
Acting Human Resources Director

Enclosures:

cc: Board of Mayor and Aldermen
William Sanders, Finance Officer

[illegible]

F-2

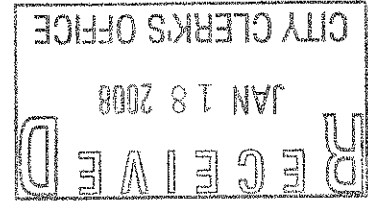
Cost to Replace Chief Negotiator Effective April 1, 2008

<u>W/E Date</u>	<u>Salary - Paid</u>	<u>SS - Paid</u>
5-Apr	\$ 1,309.76	\$ 100.20
12-Apr	\$ 1,309.76	\$ 100.20
19-Apr	\$ 1,309.76	\$ 100.20
26-Apr	\$ 1,309.76	\$ 100.20
3-May	\$ 1,309.76	\$ 100.20
10-May	\$ 1,309.76	\$ 100.20
17-May	\$ 1,309.76	\$ 100.20
24-May	\$ 1,309.76	\$ 100.20
31-May	\$ 1,309.76	\$ 100.20
7-Jun	\$ 1,309.76	\$ 100.20
14-Jun	\$ 1,309.76	\$ 100.20
21-Jun	\$ 1,309.76	\$ 100.20
28-Jun	\$ 1,309.76	\$ 100.20
TOTAL	\$ 17,026.88	\$ 1,302.60
GRAND TOTAL	\$	18,329.48

E-3

To: The Board, Mayor and Alderman

Residency Requirements Sex Offenders



1.

- We have drug free school zones.
- We have posted speed limits for our schools.

What is wrong with residency zones around our schools?

The ordinance would only apply to sex offenders convicted of the crime against a person under the age of 18.

Twice this subject has been ruled on by our federal court system and twice their ruling has been favorable on what the ordinance will accomplish.

2.

Four towns in our state have passed similar ordinances:

Many states including; Alabama, Arkansas, Florida, Georgia, Illinois, Iowa, Kentucky, Louisiana, Ohio, Oklahoma, Oregon and Tennessee have enacted similar legislation.

The A.C.L.U. petitioned the courts twice against Iowa and Ohio.

The A.C.L.U. lost both cases.

Doe vs Miller No. 4 1368 U.S. Eighth Circuit of Appeals. April 29, 2005

3.

In both of these cases the courts unanimously ruled that residency restrictions are a form of Civil Regulation Not a form of punishment. The statutes are intended to protect children and are rationally related to that goal.

The halfway house on North Elm Street was a good example, even though every study on halfway houses is the same. The halfway house should never be where children congregate. With that in mind our Police Department still was in favor of that one.

4.

This board even put that question on Ballot 75% of the voters said No.

Why would our Police Dept. be in favor?

Why would our Police Dept. be against this sex-offender ordinance even the courts spell out what we are trying to do.

I have not talked to one person who opposes this ordinance.

Many have called this "Feel Good Legislation".

I say your darn right this is Feel Good Legislation.

5.

Every time any one casts a vote to protect our children they feel good.

If this ordinance prevents just one instance of sexual abuse against one child this ordinance has accomplished its goal.

That my friends will make you feel good.

DATE: 02-01-08
FROM: Jeff Michelsen, Moderator, Ward #5
TO: Manchester Board of Mayor and Aldermen
SUBJECT: Voting booth location at the Beech St. School

RECEIVED
MANCHESTER CITY CLERK

08 FEB -4 P12:32

Dear Mr. Mayor and Board of Aldermen,

The election officials in Ward #5 have identified an existing defect in the voting process in the City's Ward 5 (The Beech St. School) voting location. I am trying to correct this anomaly prior to the next election (certainly prior to November 2008) and seek your guidance and assistance. Matt Normand of the City Clerk's office wisely suggested that I begin my efforts with a communication to the BMA.

For many years the voting booths at the school had been located in the gymnasium. Voters were able to enter the school through the main entrance, just yards from Beech St. and from the parking area and proceed directly into the gymnasium. A few years ago, under the tenure of former Moderator Jim McDonald, this location was changed in favor of the school cafeteria. The cafeteria location presents the following specific problems for voters:

1. Voters must walk a much further distance, which especially impacts elderly voters.
2. Handicapped or mobility-impaired voters are reluctant to even make the effort to navigate the distance to the cafeteria.
3. Vehicles have been driven by annoyed potential voters, or in the case of the handicapped by their helpers, onto the sidewalk area, creating a hazardous interaction with persons proceeding on foot.

I believe that it would make sense to investigate returning the actual voting booth location to the school gymnasium. The school principal, Eleanor Murphy, has evinced a desire to assist in the election process to whatever extent possible. However, she has indicated two concerns, which are:

1. The gymnasium was recently outfitted with a new (and expensive) non-wood floor and she is worried about potential damage done to the floor by voters in an array of footwear (e.g. - high heels, cleats, etc.).
2. Since the schools are now closed on election days, what will prevent people from proceeding through the front door and down the hallway into other parts of the school where they should not be going?

Item #2 above could be easily solved with the installation of 10 feet of (orange) snow fencing in the hallway just outside the principal's office and just beyond (and thus leaving access to) the bathrooms. I need help in figuring out how to address the problem with protection of the gym floor. I have imagined something along the lines of a protective mat which could be rolled out to cover the floor on election morning. Something like the mats that the wrestling coach in grade school used to roll out over the wooden floors while we kids practiced being the next "Haystacks Calhoun" (or at least I did).

I am requesting that you instruct the relevant City personnel to assess our options here. Perhaps an inquiry to the floor vendor or installer is in order. Finally, Alderman #5 can most likely answer any questions about this matter that any aldermen might have. Thank you for your assistance in this matter. Please do not hesitate to contact me if any further information is required or if there are any questions.

Sincerely,

Jeff Michelsen

CC: City Clerk, #5, E. Murphy

H

City of Manchester New Hampshire

In the year Two Thousand and Eight

A RESOLUTION

"Authorizing the Finance Officer to effect a transfer of Forty Eight Thousand Dollars (\$48,000) from Contingency to the Manchester Police Department"

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:

K-9 / Impound Dogs	Account 3309C10891.....	\$12,000
Overtime	Account 3309C10130.....	\$36,000

Resolved, that this resolution shall take effect upon its passage.

For "Canines and Training in Boston"

I

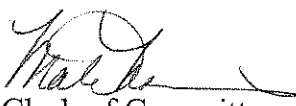
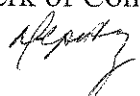
To the Board of Mayor and Aldermen of the City of Manchester:

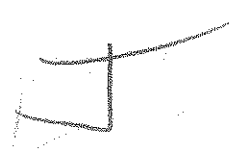
The Committee on Accounts, Enrollment and Revenue Administration respectfully advises, after due and careful consideration, that it has accepted the City's Monthly Financial Statements (unaudited) for the six months ended December 31, 2007 and is forwarding same to the Board for informational purposes.

(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)

(Unanimous vote.)

Respectfully submitted,


Clerk of Committee




To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Accounts, Enrollment and Revenue Administration respectfully advises, after due and careful consideration, that it has accepted the following Finance Department reports:


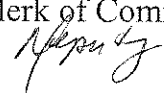
- a) Department Legend;
- b) Open Invoice report over 90 days by fund;
- c) Open Invoice report all invoices for interdepartmental billings only;
- d) Open Invoice report all invoices due from the School Department only;
- e) Listing of invoices submitted to City Solicitor for legal determination; and
- f) Accounts Receivable summary

and is forwarding same to the Board for information purposes.

(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)

(Unanimous vote.)

Respectfully submitted,


Clerk of Committee




To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Accounts, Enrollment and Revenue Administration respectfully recommends, after due and careful consideration, that the 2nd Quarter FY2008 write-off list for the Accounts Receivable module be approved.

(Unanimous vote.)

Respectfully submitted,


Clerk of Committee


L



2-4-08
WES

William E. Sanders
Finance Officer

CITY OF MANCHESTER
Finance Department

January 28, 2008

Committee on Accounts, Enrollment and Revenue Administration
C/O Mr. Leo Bernier, City Clerk
One City Hall Plaza
Manchester NH 03101

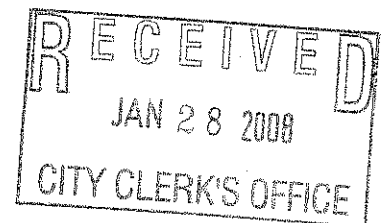
Dear Honorable Committee Members,

Attached is the 2nd quarter fiscal year 2008 write off list for the Accounts Receivable module. Most of these items have already been sent to collections and have been determined to be uncollectable. We request authorization to write these receivables off.

Please let me know if you have any questions or require further information.

Respectfully submitted,

Sharon Y. Wickens
Assistant Director - Treasury
Enc.



Department of Finance
Accounts Receivable
2nd Quarter FY08
Write Off Submission

Dept	Customer Name	Cust #	Invoice #	Invoice Date	Original Amount	Open Amount	Sent to CCS Collections	Acct Closed by CCS	CCS Reason Acct Closed	Explanation
hwy	Michael Rolon	6697	9879632	9/14/2006	\$690.49	\$690.49	4/12/2007	10/25/2007	TSL	Account Balance Is Not Suit Worthy Per Client Threshold
hwy	Wren's Nest Construction	8532	9877294	6/12/2006	\$245.00	\$245.00	11/2/2006	10/15/2007	TSL	Account Balance Is Not Suit Worthy Per Client Threshold
hwy	Wren's Nest Construction	8532	9876948	5/22/2006	\$105.00	\$105.00	11/2/2006	10/15/2007	TSL	Account Balance Is Not Suit Worthy Per Client Threshold
hwy	Wren's Nest Construction	8532	9876217	4/24/2006	\$122.50	\$122.50	11/2/2006	10/15/2007	TSL	Account Balance Is Not Suit Worthy Per Client Threshold
police	Wren's Nest Excavation LLC	5063	9875837	4/19/2006	\$519.37	\$519.37	11/22/2006	10/15/2007	TSL	Account Balance Is Not Suit Worthy Per Client Threshold
						<u>\$1,682.36</u>				

AEX - All Efforts Exhausted
SIF - Settled in Full
USA - Unserviceable Address/Invalid Phone Number
DEC - Responsible Party Deceased
TSL - Account Balance Is Not Suit Worthy Per Client Threshold


7

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Accounts, Enrollment and Revenue Administration respectfully advises, after due and careful consideration, that it has approved a waiver of the City's travel policy for Fred McNeill (EPD) to attend the NEWEA Conference held in Boston, MA on January 27-28, 2008.

(Unanimous vote.)

Respectfully submitted,


Clerk of Committee
Reputy


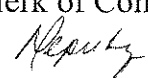


To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that a request by the Parks, Recreation and Cemetery Department to have the Fair License fee waived for the annual fireworks display at Arms Park on Thursday, July 3, 2008 be approved.

(Unanimous vote.)

Respectfully submitted,


Clerk of Committee



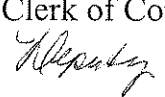


To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that a request of the Palace Theatre to hang a banner across Hanover Street to advertise upcoming performances through April, 2008, be granted and approved, subject to the supervision of Highway and meeting any conditions of insurance set forth by the Risk Manager.

(Unanimous vote.)

Respectfully submitted,


Clerk of Committee




To the Board of Mayor and Aldermen of the City of Manchester:

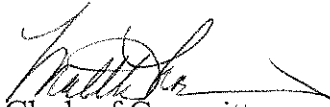
The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance Amendment:

“Amending Chapter 32: Boards, Commissions, and Departments of the Code of Ordinances of the City of Manchester by deleting Section 32.026: Appointment of Members, and replacing it with a new Section 32.026 creating alternate members of the Arts Commission.”

ought to pass.

(Unanimous vote.)

Respectfully submitted,


Clerk of Committee
Requiza

P 3

City of Manchester New Hampshire

In the year Two Thousand and

AN ORDINANCE

"Amending Chapter 32: Boards, Commissions, and Departments of the Code of Ordinances of the City of Manchester by deleting Section 32.026: Appointment of Members, and replacing it with a new Section 32.026 creating alternate members of the Arts Commission."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend Section 32.026 of the Code of Ordinances by deleting language stricken (—) and inserting new language as bolded (**bold**). Language of Section 32.026 not struck through or bolded remains unchanged.

§32.026 APPOINTMENT OF MEMBERS.

(A) The Mayor shall, in the month of September, 1937, nominate five citizens of the city who are qualified in matters of art for the Art Commission. When the nominations are confirmed by the Board of Mayor and Aldermen, the nominees shall become members of the Art Commission and hold office until their successors have been elected and qualified.

(B) **ALTERNATES.** The Mayor may nominate two (2) citizens to serve as alternate members of the Arts Commission, subject to confirmation by the Board of Mayor and Aldermen. The terms of any alternate member shall be three (3) years and shall expire on December 1. Alternate members shall only participate upon the call of the chairperson when a regular member is absent.

- II. This ordinance shall take effect upon its passage.

P

To the Board of Mayor and Aldermen of the City of Manchester:


The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance Amendment:

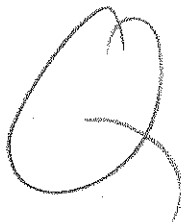
“Amending subsection 97.34: Encumbrances Prohibited of the Code of Ordinances of the City of Manchester, providing for exceptions by permit for the intermittent placement of signage in the public right of way.”

ought to pass.

(Unanimous vote.)

Respectfully submitted,


Clerk of Committee
Reputy



City of Manchester New Hampshire

In the year Two Thousand and

AN ORDINANCE

"Amending §97.34 Encumbrances Prohibited, of the Code of Ordinances of the City of Manchester, providing for exceptions by permit for intermittent placement of signage in the public right-of-way."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend the Code of Ordinances by inserting new language as bolded (**bold**). Sections of Chapter 97 that remain unchanged appear in regular type.

§97.34 ENCUMBRANCES PROHIBITED.

- (E) Notwithstanding the requirements in (B) of this section, portable signage may be erected upon a public right-of-way adjacent to a place of business for the purposes of advertising under the direction and supervision of the Public Works Director who may impose such reasonable time, place and manner requirements as are necessary to protect the public safety and convenience. Signage authorized under this section shall be subject to such insurance and indemnification agreements as the Risk Manager may require.

- II. This Ordinance shall take effect upon its passage.

A handwritten signature or mark, possibly a stylized 'Q' or a cursive 'A', is located at the bottom center of the page.

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance Amendment:

“Amending subsection 70.45 of the Code of Ordinances of the City of Manchester to clarify responsibilities of the Parking Division.”

ought to pass.

(Unanimous vote.)

Respectfully submitted,



Clerk of Committee

Reps. by

R

City of Manchester New Hampshire

In the year Two Thousand and Seven

AN ORDINANCE

"Amending §70.45 of the Code of Ordinances to clarify responsibilities of the Parking Division."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend the Code of Ordinances by deleting language as stricken (-----) and inserting new as bolded (**bold**).

(E) Manage and operate all ~~on-street~~ **metered parking spaces and all other types of parking restrictions adjacent to where meters are located** within the City of Manchester.

R

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Lands and Buildings respectfully recommends, after due and careful consideration, that a uniform policy be adopted for all street vendors. The Committee further recommends that the Board order that the energy source of these vendors be self-contained, clean, well maintained and quiet.

The Committee notes that such actions have been recommended by the Risk Manager after consultation with other City staff.

(Unanimous vote.)

Respectfully submitted,



Clerk of Committee

S

2-5-08 *Rec'd*



**City of Manchester
Office of the City Solicitor**

One City Hall Plaza
Manchester, New Hampshire 03101
(603) 624-6523 Fax (603) 624-6528
TTY: 1-800-735-2964
Email: solicitor@ManchesterNH.gov

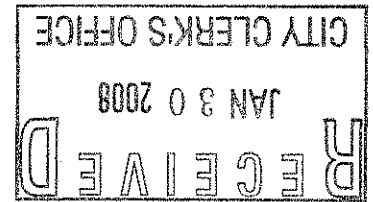
Thomas R. Clark
City Solicitor

Thomas I. Arnold, III
Deputy City Solicitor

~~Daniel D. Muller, Jr.~~
~~Michael A. Battaglia~~
Gregory T. Muller
~~Michael A. Beausoleil~~

January 30, 2008

Matt Normand, Deputy Clerk
City Hall
1 City Hall Plaza
Manchester, New Hampshire 03101



Re: Street Vendors and Electrical Supply

Dear Matt,

Pursuant to our meeting of this date and the ongoing issue that the Committee on Lands and Buildings would like to see addressed, I offer the following:

I cautioned last year, when Mr. McCarthy's request for a power source supplied by the City was questioned, that there were a number of concerns that existed.

1. Any energy expense would have been provided by the taxpayers.
2. A precedent for other street vendors who wanted equal consideration would be established.
3. Electrical problems that might affect a vendor's business, damage to their equipment or even injure the vendor could present the City with a potential liability claim.
4. Aesthetically, there is a standard by which the City of Manchester maintains regulatory review, for the type and condition of vendor stations that are permitted on our sidewalk areas.
5. The electrical outlets are keyed and an employee from Parks, even on weekends, would need to open and close the power source.

S

I will not comment on the health and sanitation standards. That is something that each vendor addresses with our health officials when dealing with the sale of food products.

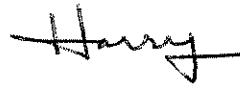
The bottom line and to me the most important exposure of all, is the potential loss from electrical wiring, running on or near the public right of ways, such as parks, plaza areas, sidewalks or along the roadway. Should a pedestrian become injured, this would compromise and limit the City's defense afforded to us under the current immunity statute. The end result could be extremely costly to our taxpayers by a third party loss.

Therefore, after meeting with you, the City Solicitor and our Safety Manager, we are in agreement and would highly recommend that the Committee adopt a uniform policy for all street vendors, that their energy source be self contained and that source of power be clean, well maintained and quiet.

We want to have our citizens and guests enjoy their experience as they stroll the center city, in a safe and comfortable environment.

If you or the Committee have any further questions, I am only a phone call away.

Sincerely,



Harry G. Ntapalis
Risk Manager

HGN/hms

cc: Thomas R. Clark, City Solicitor
Kevin O'Neil, Safety Manager

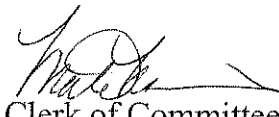
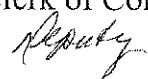


To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Lands and Buildings respectfully recommends, after due and careful consideration, that a request of the Manchester Water Works to purchase a 1.03 acre parcel of undeveloped watershed property located east of Proctor Road in Manchester, as outlined herein, be approved subject to the review and approval of the Solicitor's Office.

(Unanimous vote.)

Respectfully submitted,


Clerk of Committee




2-5-08 APP

BOARD OF WATER COMMISSIONERS

C. ARTHUR SOUCY
President

PATRICIA H. CORNELL
Clerk

RICHARD M. BUNKER
LOUIS C. D'ALLESANDRO
DYLAN R. CRUESS
WILLIAM A. BEATON

Ex Officio
HON. FRANK C. GUINTA
Mayor

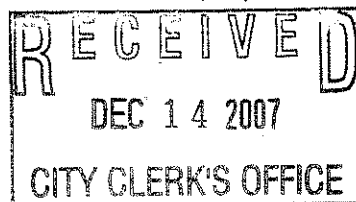
THOMAS M. BOWEN, P.E.
Director and Chief Engineer

ROBERT BEAURIVAGE, P.E.
Asst. Director



MANCHESTER WATER WORKS

281 LINCOLN ST., MANCHESTER, NEW HAMPSHIRE 03103-5093 Tel. (603) 624-6494



December 14, 2007

Lands & Buildings Committee
Board of Mayor and Aldermen
c/o City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Dear Committee Members:

The Board of Water Commissioners at their meeting on Wednesday, December 12, 2007 approved the staff's recommendation for the purchase of a 1.03-acre parcel of undeveloped watershed property located east of Proctor Road in Manchester.

The property is currently owned by the Estate of Athena Babotas c/o Joyce Artzer of Dallas, Texas and has an assessed valuation of \$16,400. Manchester Water Works has made a conditional offer on the property of \$5,000, which has been accepted by Mrs. Artzer.

The property in question is part of a large wetland that drains southeasterly toward Lake Massabesic and abuts numerous small parcels already under the ownership of the Manchester Water Works. Funding for this acquisition is available within a land purchase reserve established by the Board of Water Commissioners. The Committee's favorable consideration of this matter is requested.

Sincerely,

Thomas M. Bowen, P.E.
Director

TMB:ds

cc: C. Arthur Soucy, President, Board of Water Commissioners
Robert Beaurivage, P.E.
David Paris
Thomas Clark, City Solicitor
David Cornell, Assessor

Memo

-8-
12-12-07

December 5, 2007

TO: BOARD OF WATER COMMISSIONERS

FROM: *TMB* THOMAS M. BOWEN, P.E., DIRECTOR

RE: ARTZER PROPERTY OFF PROCTOR ROAD, MANCHESTER

Attached for the Board's consideration is a copy of a letter from Mrs. Joyce B. Artzer of Dallas, Texas, with regard to the acceptance of a conditional offer for the purchase by Manchester Water Works of a 1.03 acre parcel of property in Manchester east of Proctor Road.

Mrs. Artzer had approached the Manchester Water Works in the early fall as to our interest in acquiring the property from her family's estate. After a review of the area, it was determined that Manchester Water Works owns several other properties within the wetlands between Proctor Road and Candia Road for the protection of Lake Massabesic watershed. As indicated in my letter of October 30th, the property is unbuildable due to the amount of wetlands on the site, however, it was determined that a nominal offer would be made in the amount of \$5,000 to acquire the property, which according to tax records of the City of Manchester is valued at \$16,400.

IT IS THEREFORE RECOMMENDED THAT THE BOARD AUTHORIZE THE ACQUISITION OF THE PROPERTY AND AUTHORIZE STAFF TO PREPARE THE NECESSARY DOCUMENTS FOR APPROVAL BY THE BOARD OF MAYOR AND ALDERMEN.

TMB:ds

Attachment

bwc1

Manchester Water Works

281 Lincoln St., Manchester, NH 03103, tel. 603-624-6494, fax: 603-628-6020

Joyce B. Artzer
2850 State Street
Dallas, Texas 75204
214-954-9959
Email joyceartzer@msn.com

November 5, 2007

Mr. Thomas M. Brown, P.E
Manchester Water Works
281 Lincoln St
Manchester, NH 03103


Dear Mr. Thomas:

Thank you for your letter dated October 30, 2007. Please accept this letter as my acceptance of your offer to acquire my property, specifically Map 761 Lot 4 for the amount of \$5,000.00. I understand that it is necessary to seek the appropriate authorizations from the Board of Water Commissioner and the Board of Mayor and Alderman. I would expect these authorizations to be forthcoming without significant delay.

Please let me know if there is anything I need to do other than this letter to begin the process. Thank you for your cooperation. I look forward to hearing from you at your earliest convenience.

Sincerely,

Joyce B. Artzer





MANCHESTER WATER WORKS

281 LINCOLN ST., MANCHESTER, NEW HAMPSHIRE 03103-5093 Tel. (603) 624-6494

BOARD OF WATER COMMISSIONERS

C. ARTHUR SOUCY
President

PATRICIA H. CORNELL
Clerk

RICHARD M. BUNKER
LOUIS C. D'ALLESANDRO
DYLAN R. CRUESS
WILLIAM A. BEATON

Ex Officio
HON. FRANK C. GUINTA
Mayor

THOMAS M. BOWEN, P.E.
Director and Chief Engineer

ROBERT BEAURIVAGE, P.E.
Asst. Director

October 30, 2007

Mrs. Joyce Artzer
2850 State Street
Dallas, TX 75204

Dear Mrs. Artzer:

As you are probably aware, Manchester Water Works owns a considerable amount of land surrounding Lake Massabesic and the streams and tributaries which feed into Lake Massabesic, the public drinking water supply for nearly 160,000 people in the greater Manchester area. The land is owned to insure that development does not occur in critical areas of the watershed. While your property located off of Candia Road in Manchester, specifically Map 761, Lot 4 abuts a stream which flows into the Lake, it is, however, nearly all wetlands. As such, it is protected against development and this already serves the purpose for which we would be interested in the property.

With that said, however, Manchester Water Works would be interested in making you a conditional offer of \$5,000, which we believe is justified given the fact that we own a number of abutting small parcels in the area.

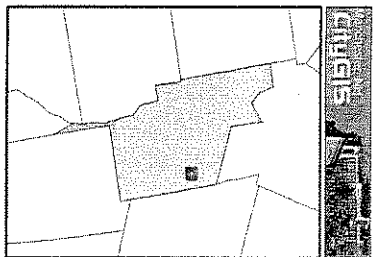
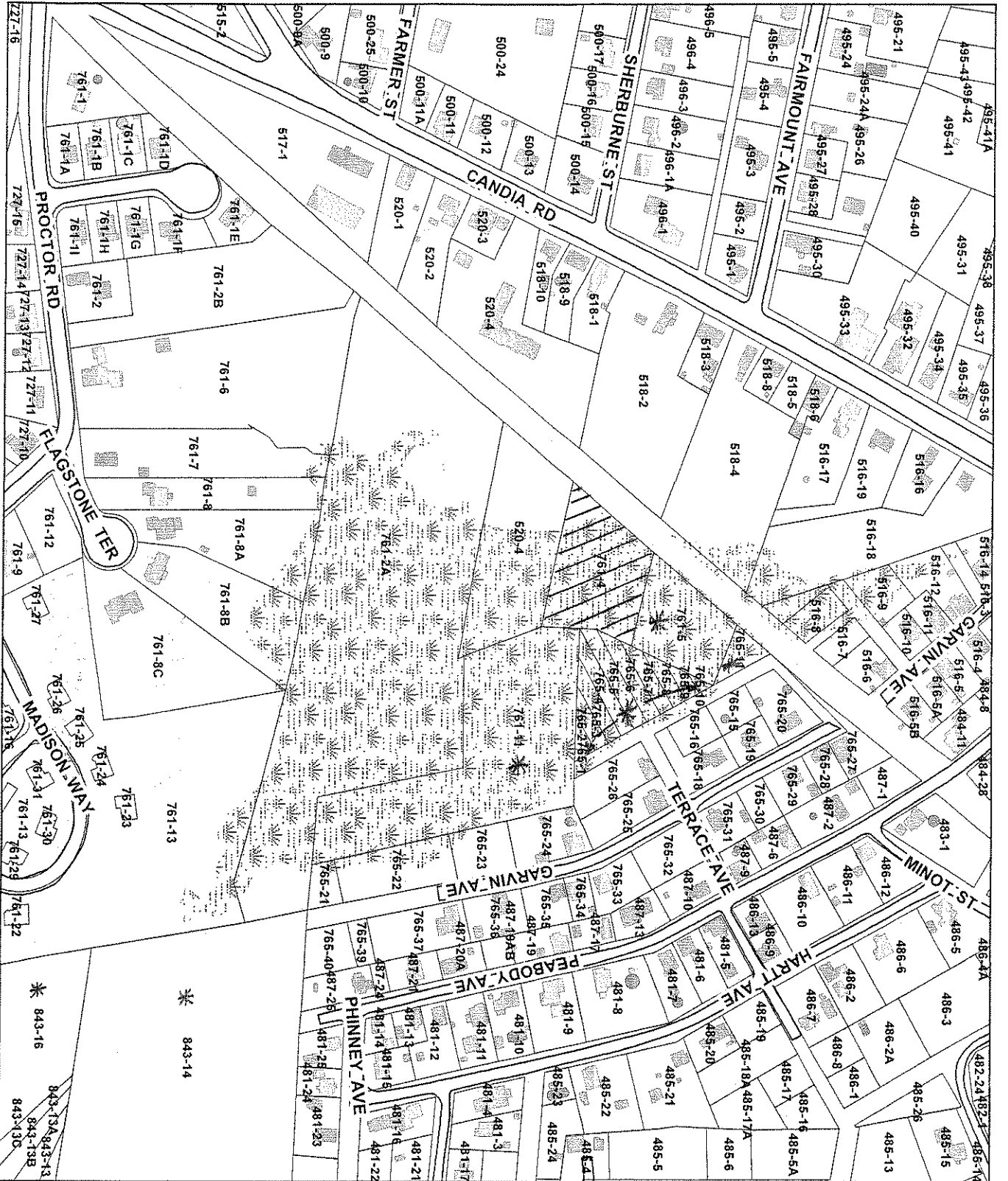
If you are at all interested in accepting this conditional offer or simply donating the property to the Manchester Water Works as a gift, then it would be necessary for us to seek the appropriate authorizations from the Board of Water Commissioners and the Board of Mayor and Aldermen.

I look forward to hearing from you.

Sincerely,

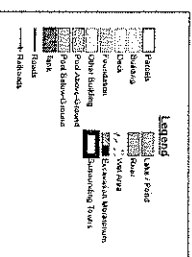
Thomas M. Bowen, P.E.
Director

TMB:ds



**Robotas
PROPERTY**

*** OTHER MWM
PROPERTY**



DISCLAIMER

The information appearing on this map is for the convenience of the user and is not an official public record of the City of Manchester, NH (the "City"). This map is not survey-quality. All boundaries, easements, areas, measurements, right-of-way, etc., appearing on this map should only be considered approximations, and as such have no official or legal value. The City assumes no liability whatsoever associated with the use or misuse of this information. The official public records from which this information was compiled are kept in the offices of the City Engineer, City Clerk, and State government agencies and departments. Users are advised to consult the official records and maps for the most accurate information. The City is not responsible for any errors or omissions in this map, or for any consequences arising from the use of this map, you agree to these terms and conditions.

**City of Manchester, NH - CityGIS****Map-Lot: 761-4**

Parcel Location:	PROCTOR RD
Owner Name:	BOBOTAS, ATHENA ESTATE OF
Mailing Address:	% JOYCE ARTZER
Mailing City State Zip:	DALLAS TX 75204
Land Valuation:	16,400
Building Valuation:	
Total Valuation:	16,400
2005 Land Valuation:	10,900
2005 Building Valuation:	
2005 Total Valuation:	10,900
Land Area (acres):	1.03
Land Area (sq ft):	44,865
Land Use:	Vac Res Ub
Building Style:	
Stories:	
Year Built:	n/a
Building Condition:	
Exterior Siding:	
Roof Structure:	
Roof Cover:	
Gross Building Area (sq ft):	
Living Area (sq ft):	
Rooms:	
Bedrooms:	
Bathrooms:	
Interior Walls:	
Interior Flooring:	
Heating Fuel:	
Heating System:	
Air Conditioning:	
Sale Date:	Sep 16, 2007
Sale Price:	\$0
Book/Page:	0/ 0
Last Updated Date:	Oct 16, 2007

A handwritten signature, possibly "T", written in black ink.



City of Manchester

2-5-08 Nominations

Office of the Mayor
Hon. Frank C. Quinta

February 5, 2008

The Honorable Board of Aldermen
One City Hall Plaza
Manchester, NH 03101

Dear Members of the Board:

Pursuant to Section 3.14 (b) of the City Charter, please find below the following nominations:

- (1) Susan Ware to succeed Kelleigh L Domaingue (resignation) as a member of the Arts Commission, term to expire December 1, 2008;
- (2) Daniel Pinard to succeed Richard E. Molan (resignation) as a member of the Planning Board, term to expire May 1, 2010;
- (3) Cathryn Vaughan to succeed Verna Perry (term limit) as a member of the Heritage Commission, term to expire January 1, 2011;

These nominations will layover to the next meeting of the Board pursuant to Rule 20 of the Board of Mayor & Aldermen. Your consideration of these nominees is appreciated.

I am also appointing Mr. Gene Mackie and Ms. Kim Waldecker to succeed respectively Ms. Judith Heminger and Ms. Joanne Hudon as members of the Non-Affiliated Sick Leave Bank.

Sincerely,

Frank C. Quinta
Mayor

Susan Ware

Manchester, NH

603-703-2898

susanmware@gmail.com

EXPERIENCE

Development Coordinator- New Hampshire Food Bank

August 2007- present

Responsible for generating revenue for the state's only food bank through grants, corporate donations and large gifts with the assistance of two associates. Also responsible for media relations, public relations and donor cultivation.

Food writer- Hippo Press, Manchester

November 2005- present

Responsible for producing weekly stories and photographs that reflect what southern New Hampshire eats, new food business and features on interesting people and their relationship with food.

Correspondent- The Boston Globe

September 2000- November 2005

Contributed to North West, Boston Works, Living, Calendar and Food on a regular basis. Work ranged from twice weekly news briefs to Sunday features.

Publisher and editor- Dish Magazine

September 2002-October 2004

Responsibilities included producing and editing and overseeing sales for this free, monthly food magazine (50K distribution) that filled a niche in the Boston market. As a co-owner, sold to the Phoenix Media / Communications Group in 2004.

Editor-Boston Flavor

May 2001-July 2002

Responsibilities included producing this monthly, Boston based dining magazine (20K distribution). The magazine ceased production in 2002.

Correspondent-Nashoba Publishing-Ayer MA

April 1998-September 2000

Beat reporter covering Nashoba Valley. Provided human interest features and stories on local issues, plus photographs.

Regional Visual Manager- The Bombay Company

April 1991-July 1995

Responsible for the look of all East coast stores and new store openings, implementing design changes and training store managers. Managed a team of eight visual merchandisers.

Remedial English Teacher- City of Lowell, MA

January 1986-January 1990

5-2

Taught immigrants and refugees to read and write in English and American customs. Aided with grant writing to continually fund the program.

Associations

Board of Directors, Nesenkeag Farm, Litchfield, NH

Volunteer, Operation Frontline, Share Our Strength

Committee member, Taste of the Nation 2008

5-3

Daniel Pinard

739 Dix St.

Manchester, NH 03103

Home (603) 661-4344; E-mail: danpinard@gmail.com

OBJECTIVE:

To use my background in Physics and Computer Engineering to gain a position in a company as a programmer or in a research and development capacity.

QUALIFICATIONS:

I have worked in research and development for several companies since receiving my degree in physics from UNH. During that time I worked on many different computing platforms including all versions of Microsoft Windows (including XP) as well as Office. I have extensive experience programming in C, C++, Ada and more recently Java. I am quite familiar with current object oriented design methodologies and have experience using the Rational Corporation suite of programs for development. My experiences include supporting radar systems, and programming microcontrollers using C++ on Sun systems and Visual C++. I currently hold a top secret clearance with the U.S. Government.

EDUCATION:

2001-Present Masters Degree – Computer Science (currently enrolled) Boston University, Tyngsboro MA
2000-2001 Continuing Ed – Signal Processing, BAE Systems, Merrimack, N.H.
1992-1996 Bachelors Degree - Physics, University of New Hampshire, Durham, N.H.
1984-1988 General Degree, West High School Manchester, N.H.

EMPLOYMENT

Nov 2003-Present Sr. Software Engineer - Raytheon Corporation, Tewksbury MA
Working as a software engineer in all aspects of software development, but primarily in integration and test for the Navy's DD(X) class ship computing infrastructure. Helping to write requirements, test cases, and work with several Raytheon sites nationwide to test and communicate to software teams the needed changes to delivered software while maintaining a tight schedule over several releases.
Gov't Clearances: SECRET
Supervisor: John Vezina

5-4

Feb 2002-Feb 2003 Scientific Programmer, IISI Corporation, Billerica MA

Scientific programmer utilizing C++ on Microsoft Windows and Sun Solaris workstations in an R & D environment. Experience using Windows embedded development for 1-off systems for government contract work. Systems were used in the detection and identification of hyperspectral data pertaining to remote sensing equipment. Gov't Clearances: SECRET
Supervisor: Kevin Whitcomb

March 2001-Present President, Mavid, Manchester N.H.

Owner of a small web design firm specializing in small to medium sized business and political web sites. Created several award winning sites using Adobe® brand software products as well as Macromedia, Microsoft and various other brand products. Some experience using PHP and MySQL for databasing.

July 1997-Dec 2001 Computer Engineer, BAE SYSTEMS, Hudson N.H.

Worked in support of development of un-cooled IR cameras used in fire fighting rescue. Worked in support of electronic countermeasures group using Visual C++ to support real-time systems development. Previous duties also included computer programming in an object-oriented environment (Visual C++, ADA) in support of the F-22 Fighter project. Also aided the countermeasures project in various capacities including product development and integration in Unix and Win NT/2000 environments. Supervisors: Cheryl Simons, Steve Giovinelli

Feb 1997-July 1997 Webmaster, Almus & Lee Communications, Nashua N.H.

Duties included troubleshooting and maintaining a Windows NT based network, creation of various multimedia content, graphic design, and programming web tools using PERL, HTML, Javascript, Java and C++

Jan 1993-Feb 1997 Primary Operator (COMPTTEL) satellite, University of New Hampshire, Durham N.H.

Worked for the ground support team on the Compton space-based telescope experiment in conjunction with NASA. Duties included running diagnostics on satellite experiment, computer programming, some analysis of incoming experimental data and communication with Goddard flight center to troubleshoot possible on-board problems.

5-5

SKILLS

Experience using different computer platforms including Linux/UNIX, DOS/NT/Windows, Sun Solaris, Vax, and Macintosh based computers. Good working knowledge of several computer languages including Java, C++, Visual C++, DOS scripting, UNIX scripting, Javascript, Perl, HTML and some Oracle/MySQL experience. Good knowledge of several Rational Software Corporation products for software build/release functions including: Clearcase, Clearquest, Requisite Pro, Rose, as well as other similar configuration software packages (Microsoft Source Safe, SCCS (UNIX)). Also some knowledge of digital communications & wireless communications theory and implementation and some related Matlab experience. Experience with Macintosh computers using OS 8, 9, and OSX. Experience with streaming technologies (Realplayer/Quicktime), and server technologies on Mac/Win/Linux systems. Experience with use of several non-linear video editing programs such as Final Cut Pro, Adobe Premiere, and Avid Videoshop. Excellent knowledge of Adobe Photoshop, GoLive, Illustrator, as well as Macromedia products, Dreamweaver, Flash, and Fireworks.

Examples of Web Work

www.michaelnesmithphotography.com

References

Personal References:

Barbara Lawler
48 Woodhill Road
Bow, NH 03304
(603) 774-2529
Joseph Racz
64 Beverly Drive
Hampstead, NH 03841
(603) 329-6157
Hon. Emile Beaulieu
338 Goffstown Back Road
Goffstown, NH 03045
603.623.7581

Technical References:

James Colantonio
50 Apple Hill Drive
Tewksbury, MA 01876
978.858.5246
Werner Niebel
30 International Place
Tewksbury, MA 01876
Work 978.851.1100
Kevin Whitcomb
IISI Corporation
19 Sterling Road
Billerica, MA 01862
Work 978.670.5293

5-6

CATHRYN E. VAUGHN
335 CYPRESS STREET #3T
MANCHESTER, NEW HAMPSHIRE 03103
cathryn.vaughn@mclane.com
603.628.1180 (w) 603.303.9063 (c)

EXPERIENCE:

McLane, Graf, Raulerson & Middleton, P.A., Manchester, NH

Associate, Litigation Department – September 2004 to present

Summer Associate – Summer 2003

Participate as member of litigation team in numerous environmental, employment, education and complex business cases by conducting legal research, drafting pleadings, participating in court proceedings and counseling clients.

Boston University, Office of General Counsel, Boston, MA

Law Clerk – 2003-2004 Academic Year

Conduct legal research and draft pleadings on various employment, student discipline, academic and corporate issues.

Boston University School of Law, Boston, MA

Research Assistant to Professor Hurwitz – Fall 2003

Assist professor with legal research posthumous children's legal rights.

Orr & Reno, P.A., Concord, NH

Summer Associate – Summer 2002 & August 4 - 15, 2003

Conducted legal research and prepared memoranda on issues such as employment discrimination, testamentary capacity, civil procedure and evidence, and medical malpractice for attorneys in core business, litigation, and trust and estates departments. Drafted memoranda, purchase and sales agreements, release agreements, and client letters. Attended depositions, client meetings, and hearings.

Cushing Academy, Ashburnham, MA

Language Development Teacher – August 1998 – June 2001

Critical Skills Program Coordinator – Summers 2000 & 2001

Critical Skills Teacher – Summers 1998 & 1999

Taught study skills and reading skills, modified geometry, and American politics and government to high school students with language-based learning disabilities and attention deficit disorder. Advised students, oversaw boys dormitory, and coached varsity girls' field hockey and lacrosse. Supervised ten teachers and managed eighty students' progress for six-week skill building summer school session.

Manville School, Judge Baker Children's Center, Boston, MA

Head Teacher – Lower School Class (ages 10 - 12); September 1997 – June 1998

Summer School Teacher – Middle School Class (ages 11 - 13); Summer 1997

Assistant Teacher – Middle School Class (ages 11 - 13); September 1996 – June 1997

Taught all areas of curriculum to students with emotional and behavioral challenges. Wrote and implemented Individualized Education Plan for each student. Supervised assistant teacher.

57

The Center for Mental Health and Retardation Services, Lexington, MA
Day Program Counselor – *Transitions Day Program*; August 1995 – August 1996
Counseled adults with mental illness in social competency day program.

EDUCATION:

Boston University School of Law, Boston, MA

Juris Doctor: May 2004

Honors: *Public Interest Law Journal*, Article Editor 2003-2004; Edward F. Hennessey

Distinguished Scholar 2003-2004

Note: *The School Choice Provision of the No Child Left Behind Act and its Conflict with Desegregation Orders*, 13 THE BOSTON UNIVERSITY PUBLIC INTEREST LAW JOURNAL 79 (2003).

Activities: Student Advisor, Children and the Law Society, American Constitution Society, Esdaile Moot Court Student Judge

Simmons College, Boston, MA

Masters of Science in Education, Special Needs: May 1997

Massachusetts Standard Certification in Special Needs PK-9

Thesis: *The Use of Computers with Emotionally, Behaviorally, and Learning Challenged Students and its Impact on Behavior*

William Smith College, Geneva, NY

Bachelor of Arts: June 1995

Major: Psychology Minor: English

Honors: Dean's List 1994-1995, Helen Heath Academic Scholar 1992-1993

Phi Beta Kappa Speaker: *More Than at Risk: Homeless Children*: May 1995

Studied abroad in Quito, Ecuador: Winter 1994

Activities: Sailing Team, Literacy Corps G.E.D. Tutor

MEMBERSHIPS AND ACTIVITIES:

New Hampshire Bar Association, United States District Court for the District of New Hampshire, New Hampshire Women's Bar Association, American Bar Association, New Hampshire Association for Justice

Derryfield School Board of Trustees – September 2005 to present

Derryfield School Alumni Council – September 2004 to present

Manchester Youth Leadership Steering Committee – September 2004 to present

Manchester Heritage Commission – 2005 to present

5-8

Legislative Update – February 15, 2008

The following bills are being tracked by the Mayor's Office and city departments as of **Friday, February 15, 2008** (* means department head or representative may testify)

MAYOR'S OFFICE SUPPORTS

HB1573 – relative to hazardous and dilapidated buildings (in House Municipal and County Government Committee); *also supported by Building Department*

SB507 – relative to extended terms of imprisonment for street gang members (in Senate Judiciary Committee); *also supported by Police Department*

MAYOR'S OFFICE OPPOSES

HB584 – raising the age of minority for juvenile delinquency proceedings from 17 to 18 years of age (in House Finance Committee); *also opposed by Police Department*

BOARD OF MAYOR AND ALDERMEN SUPPORT

HB1181 – naming the Manchester district courthouse the Armand Capistran district courthouse (in House Public Works and Highways)

BMA vote on Dec. 4, 2007 (unanimous)

SB371 – making various changes to the city of Manchester employees' contributory retirement system (in Senate Public and Municipal Affairs Committee)

BMA vote on Dec. 4, 2007 (11 yea, 2 abstentions)

BOARD OF MAYOR AND ALDERMEN TRACKING

SB373 – relative to dental insurance coverage for members of the Manchester employees' contributory retirement system (in Senate Public and Municipal Affairs Committee)

DEPARTMENTS SUPPORT

Assessor's Office

HB1478 – relative to the quorum for meetings of the equalization standards board (in House Executive Departments and Administration)

Building Department

HB1573 – relative to hazardous and dilapidated buildings (in House Municipal and County Government Committee); *also supported by Mayor's Office*

City Clerk's Office

HB1240 – relative to disqualification of certain election officers and relative to arrangement of polling places (in House Election Law Committee)

SB375 – allowing veterinarians to inform town and city clerks about dogs that have been euthanized (OTP/w Amendment by Senate Public and Municipal Affairs Committee)

12

SB478 – relative to processing absentee ballots (OTP by Senate – voice vote)

Environmental Protection Division (Public Works)

HB1295 – establishing a commission to study issues relating to stormwater (OTP/w Amendment by House – voice vote) *also supported by Water Works*

***HB1581** – relative to the formation of stormwater utility districts (in House Municipal and County Government Committee) *also tracked by Water Works*

Fire Department

HB1594 – relative to hazardous material reporting requirements and establishing fees for hazardous materials facilities and employees (in House Ways and Means Committee)

SB117 – relative to fireworks display permits and the position of permissible fireworks inspector (Passed both houses)

Health Department

HB1171 – establishing a commission to study air quality issues in public school buildings (OTP/w Amendment by House – voice vote)

HB1201 – allowing communities to conduct point of dispensing exercises to test emergency management operations plans, allowing qualified health professionals to prescribe and administer flu vaccine during such exercises, and granting immunity to such qualified health professionals (OTP/w Amendment by House – voice vote)

HB1395 – establishing the AIDS drug assistance program fund (in House Finance Committee)

HB1405 – regulating outdoor wood-fired boilers (in House Science, Technology and Energy Committee)

HB1422 – establishing a commission on the prevention of childhood obesity (OTP/w Amendment by House Health, Human Services and Elderly Affairs Committee)

SB395 – establishing a commission to review New Hampshire's statutes on human immunodeficiency virus education, prevention, and control (OTP/w Amendment by Senate – voice vote)

SB512 – relative to emergency management powers (in Senate Health and Human Services)

Police Department

***SB507** – relative to extended terms of imprisonment for street gang members (in Senate Judiciary Committee); *also supported by Mayor's Office*

Water Works

HB1202 – relative to monitoring privately owned water distribution programs (OTP/w Amendment by House – voice vote)

HB1295 – establishing a commission to study issues relating to stormwater (OTP/w Amendment by House – voice vote) *also supported by EPD*

DEPARTMENTS OPPOSE

City Clerk's Office

HB1318 – relative to temporary plates issued by motor vehicle dealers (in House Transportation Committee)

12-2

HB1362 – establishing a selection process for compulsory assistant election official service (in Election Law Committee)

HB1419 – relative to voting machine costs (in House Finance Committee)

HB1444 – relative to vacancies in county offices (in House Municipal and County Government Committee)

Fire Department

SB210 – relative to making various changes to the regulation of plumbers and water treatment technicians by the board of licensing and regulation of plumbers (OTP/w Amendment by House – voice vote)

Health Department

HB1421 – relative to an exemption from the indoor smoking act for certain restaurants (in House Commerce Committee)

HB1457 – allowing smoking in smoking bars (in House Commerce Committee)

SB428 – establishing a commission to study the funding of vaccines for children who are not covered by private health insurance and repealing an assessment for the cost of vaccines (OTP/w Amendment by Senate Health and Human Services Committee)

SB514 – relative to mercury exposure reduction and requiring insurance coverage for mercury-free fillings, vaccines, and injections for certain persons (in Senate Health and Human Services Committee)

Police Department

HB584 – raising the age of minority for juvenile delinquency proceedings from 17 to 18 years of age (in House Finance Committee); *also opposed by Mayor's Office*

DEPARTMENTS TRACKING

Assessors Office

HB1144 – allowing veterans discharged under honorable conditions to be eligible for the Veterans property tax credit (in House Municipal and County Government Committee)

HB1267 – allowing municipalities to adopt a non-wartime veterans property tax credit (in House Municipal and County Government Committee)

HB1455 – increasing the amount of the veteran property tax credit and enabling municipalities to extend the Veteran property tax credit to include all veterans who have been honorably discharged (in House Municipal and County Government Committee)

HB1541 – relative to service in the Vietnam Conflict for purposes of qualification for the Veterans property tax credit (in House Municipal and County Government Committee)

SB457 – extending the veterans property tax credit to all honorably discharged Veterans (in Senate Public and Municipal Affairs Committee)

Fire Department

HB291 – relative to licensure of fireworks sellers (OTP/w Amendment by House – voice vote)

HB331 – relative to time limits on design review (OTP/w Amendment by House – voice vote)

HB781 – relative to the duties of the department of safety (in House Ways and Means Committee)

12-3

SB212 – relative to the regulation of home inspectors (OTP/w Amendment by Senate – voice vote)

Manchester Economic Development Office

HB1404 – relative to liability insurance for passenger rail service (in House Transportation Committee)

Police Department

HB432 – relative to certain on-premises beverage and liquor licenses (in House Ways and Means Committee)

Water Works

HB460 – relative to conservation restrictions to protect public water supplies (in House Energy, Environment and Economic Committee)

HB1151 – relative to reporting dates for the instream flow pilot program (in House Resources, Recreation and Development Committee)

HB1254 – relative to the ability of towns to regulate the storage and use of deicing chemicals (in House Municipal and City Government Committee)

HB1264 – relative to prohibiting ATV and trail bike use on state-owned rail trails acquired using federal funds (OTP/w Amendment – 10-6; minority report; special order)

HB1272 – relative to “meetings” under the right-to-know law (deemed ITL by House Judiciary Committee – 18-0)

HB1329 – relative to the authority of elected municipal authorities in dealing with municipal utilities (in House Municipal and City Government Committee)

HB1353 – relative to local control of water resources (in House Resources, Recreation and Development Committee)

HB1408 – relative to the right-to-know law (in House Judiciary Committee)

HB1409 – creating a right of first refusal for a municipality in which certain utility property or stock is proposed to be sold by a utility (in House Municipal and City Government Committee)

HB1439 – relative to a moratorium on large groundwater withdrawals intended for commercial bottling (in House Resources, Rec. and Development Committee)

HB1568 – relative to endangering the public water supply (deemed OTP/w Amendment by House Criminal Justice and Public Safety Committee – 15-0)

HB1579 – relative to setback requirements from wetlands (in House Resources, Rec. and Development Committee)

HB1581 – relative to the formation of stormwater utility districts (in House Municipal and County Govt. Committee) *also supported by EPD*

SB158 – relative to review of activities affecting surface waters (OTP/w Amendment by Senate – voice vote)

SB352 – relative to shoreland protection (OTP/w Amendment by Senate – voice vote)

SB358 – relative to mooring permits (in Senate Transportation and Interstate Cooperation Committee)

SB384 – relative to the repair of septic systems prior to the sale of waterfront property (in Senate Energy, Environment and Economic Development Committee)

SB417 – relative to changes to the shoreland protection act (in Senate Energy, Environment and Economic Development Committee)

12-4

INTERIM STUDY

HB842 – establishing safety requirements and procedures for firefighters (**opposed by Fire Department**)

KILLED BY LEGISLATURE

HB329 – relative to fire equipment servicing certification program (**tracked by Fire Department**)

HB374 – increasing the appropriation to the firemen's relief fund (**opposed by Fire Department**)

HB779 – relative to funding of retirement system benefits and supplemental allowances (**tracked by Fire Department**)

HB1199 – relative to the residency requirements for the elderly property tax exemption (**tracked by Assessor's Office**)

HB1269 – authorizing local governing bodies to place certain properties on a conservation priority list and requiring owners of land designated as conservation priority land to notify the municipality before offering the land for sale (**tracked by Water Works**)

***HB1310** – relative to information for property tax assessments of commercial and industrial properties (**supported by Assessor's Office**)

HB1621 – relative to requiring a refundable deposit on beverage containers "bottle bill" (**opposed by Public Works**)

HB1629 – relative to the evaluation of recycling and energy conversion options for grease trap wastes at the Winnepesaukee river basin program's Franklin wastewater treatment facility and making an appropriation therefore (**supported by Environmental Protection Division**)

SB62 – relative to penalties for violations of the state building code (**supported by Fire Department**)

SB179 – establishing an automated external defibrillator advisory commission (**supported by Fire Department**)

SB257 – relative to penalties for life safety code violations under municipal housing standards (**tracked by Fire Department**)

TABLED

HB76 – creating an environmental policy for New Hampshire (**tracked by Water Works**)

12-5

City of Manchester New Hampshire

In the year Two Thousand and

AN ORDINANCE

"Amending Chapter 32: Boards, Commissions, and Departments of the Code of Ordinances of the City of Manchester by deleting Section 32.026: Appointment of Members, and replacing it with a new Section 32.026 creating alternate members of the Arts Commission."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend Section 32.026 of the Code of Ordinances by deleting language stricken (—) and inserting new language as bolded (**bold**). Language of Section 32.026 not struck through or bolded remains unchanged.

§32.026 APPOINTMENT OF MEMBERS.

(A) The Mayor shall, in the month of September, 1937, nominate five citizens of the city who are qualified in matters of art for the Art Commission. When the nominations are confirmed by the Board of Mayor and Aldermen, the nominees shall become members of the Art Commission and hold office until their successors have been elected and qualified.

(B) **ALTERNATES.** The Mayor may nominate two (2) citizens to serve as alternate members of the Arts Commission, subject to confirmation by the Board of Mayor and Aldermen. The terms of any alternate member shall be three (3) years and shall expire on December 1. Alternate members shall only participate upon the call of the chairperson when a regular member is absent.

- II. This ordinance shall take effect upon its passage.

13/17

City of Manchester New Hampshire

In the year Two Thousand and

AN ORDINANCE

"Amending §97.34 Encumbrances Prohibited, of the Code of Ordinances of the City of Manchester, providing for exceptions by permit for intermittent placement of signage in the public right-of-way."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend the Code of Ordinances by inserting new language as bolded (**bold**). Sections of Chapter 97 that remain unchanged appear in regular type.

§97.34 ENCUMBRANCES PROHIBITED.

- (E) **Notwithstanding the requirements in (B) of this section, portable signage may be erected upon a public right-of-way adjacent to a place of business for the purposes of advertising under the direction and supervision of the Public Works Director who may impose such reasonable time, place and manner requirements as are necessary to protect the public safety and convenience. Signage authorized under this section shall be subject to such insurance and indemnification agreements as the Risk Manager may require.**

- II. This Ordinance shall take effect upon its passage.

13/17

City of Manchester New Hampshire

In the year Two Thousand and Seven

AN ORDINANCE

"Amending §70.45 of the Code of Ordinances to clarify responsibilities of the Parking Division."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend the Code of Ordinances by deleting language as stricken (-----) and inserting new as bolded (**bold**).

(E) Manage and operate all ~~on-street~~ **metered parking spaces and all other types of parking restrictions adjacent to where meters are located** within the City of Manchester.

13/17

City of Manchester New Hampshire

In the year Two Thousand and Eight

A RESOLUTION

"Authorizing the Finance Officer to effect a transfer of Forty Eight Thousand Dollars (\$48,000) from Contingency to the Manchester Police Department"

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:

K-9 / Impound Dogs	Account 3309C10891.....	\$12,000
Overtime	Account 3309C10130.....	\$36,000

Resolved, that this resolution shall take effect upon its passage.

For "Canines and Training in Boston"

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BOARD OF MAYOR & ALDERMEN

DATE: 2/5/2008

ON MOTION OF ALD. O'Neil

SECONDED BY ALD. Pinard

VOTED TO Table

Honorable Board of Mayor & Aldermen
C/O Office of the City Clerk
One City Hall Plaza
Manchester, NH 03101

CITY CLERK

January 15, 2008

Honorable Members:

I am writing to inform you that our Advisory Committee to the Manchester Employees' Contributory Retirement System's has obtained sponsorship in the New Hampshire Senate for a single piece of legislation in the 2008 session of the legislature and to request your position on this initiative. This piece of legislation, sponsored by Senator D'Allesandro and designated SB-373, is an amendment to an existing health insurance subsidy provision which would allow for the use of otherwise forfeited entitlements for City sponsored retiree dental insurance premiums.

In 2005, this Committee successfully campaigned to create a subsidy which retirees of the City of Manchester Employees' Contributory Retirement System, (MECRS) could apply against the cost of retiree health insurance premiums. It is very important to understand that unlike a similar plan adopted earlier by the State which affects the city's teachers, police officers and fire fighter, the subsidy for the City Plan is adequately funded and is absent any of the complications presently in need of correction at the State level. When the City's version was enacted however, retirees were not entitled to remain in the City's dental plan and so the retirement plan provisions were written with only the health insurance premiums in mind. During 2007, the City amended its dental insurance participation practices retroactively and allowed existing retirees to join the City's dental group via an open enrollment period.

A number of retirees who opted to join the City's dental group had never, for whatever reasons, elected to enroll in the health insurance plan for retirees. As such, while they are entitled to a subsidy, because they do not subscribe to retiree health insurance with the City, their benefit is effectively forfeited in accordance with Federal Regulations which govern the operation of Section 401(h) sub-trusts. There was an immediate interest by retirees whose sub-trust benefit was going unused to apply that amount against dental premiums to which they had subscribed during open enrollment. While Federal Regulations do not prohibit the use of 401(h) sub-trust entitlements for dental insurance premiums, that original enabling legislation here in New Hampshire was so specific in its wording that counsel for the Retirement System opined that only a legislative amendment to the Plan would allow retirees to use their otherwise forfeited benefits for dental premiums.

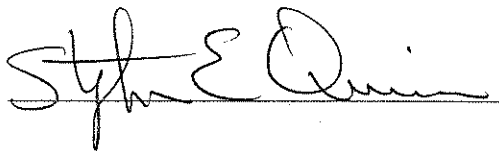
The Manchester Employees' Contributory Retirement System Board of Trustees is aware of this legislative initiative but has not taken a position either in favor or against its passage. The Board has however requested a cost estimate from its actuary so that all parties will understand how this measure will affect the City's pension cost. A copy of the actuary's report and a copy of Senate Bill 373 are attached for your perusal.

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With respect to the cost of this benefit change, it may be important to remember that all actuarial costs are based upon assumptions regarding the number of members who receive the benefit and that this estimate is no different. SB 373 does not increase the amount of the original benefit but only allows more members to utilize the benefit than under the original program. The actuarial costs were determined by making an assumption regarding the increase in the number of members who will utilize this benefit. A retiree of the MECRS who presently uses their subsidy entitlement against health insurance premiums would gain nothing from this amendment because their entitlement is already spoken for, but a retiree who does not take the health insurance but does take the dental would be able to apply the subsidy against the dental premium.

Since the subsidy program was enacted, plan experience has shown that less than half of those entitled to receive the subsidy have found themselves in a position to do so. Of the City retirees who joined the dental plan at open enrollment, approximately half have an untapped entitlement which could be applied against dental premiums if the New Hampshire law were amended to include it and if the City's voters ratified SB 373 assuming its passage in the Senate and House and signature by the Governor. In the few years that the subsidy has been in operation, its cost has proven to be lower than originally estimated since the actuarial. The somewhat confusing result of this is that because SB 373 does not increase the level of benefit but only what that level can be applied against, the cost as calculated by the actuary constitutes a reduction in the savings which has been experienced since the subsidy was enacted but it does not increase the cost beyond what it was originally projected to be when the original program was proposed.

The Committee understands that this may not be an easy concept to grasp and that the City may not elect to support this bill. What the Committee does ask, as it did when the original program was enacted, is that the bill be allowed to progress through the legislative process so that the voters of Manchester may have the final say at referendum later in 2008. I will be happy to appear before your group to answer any questions and the MECRS Board of Trustees has also authorized the Executive Director to be available to answer technical questions about the bill and the actuary's cost estimate which may prove difficult for me to address.



Stephen E. Quinn
Advisory Committee to the MECRS
168 Foster Hill Road
Henniker, NH 03242

19-2



William E. Sanders
Finance Officer

CITY OF MANCHESTER
Finance Department

February 4, 2008

Mark Laliberte
Office of the Mayor
One City Hall Plaza
Manchester, NH 03101

Subject: Senate Bill 373- Extension of Retiree Health Subsidy to Dental Benefits

Dear Mark,

As you requested, this letter serves to provide some additional background and cost estimates for the proposed changes to the retiree health subsidy offered by the City of Manchester Employees' Contributory Retirement System (MECRS). These changes are being proposed by the Advisory Committee of the MECRS. The MECRS Board of Trustees has not taken a position on this proposal.

The Advisory Committee is proposing that the MECRS health insurance subsidy implemented in 2006 be extended to dental benefits. Currently the health subsidy amounts to approximately \$216 per month for individuals retiring on or after March 1, 2006 with 20 or more years of service. Individuals retired prior to the date are eligible for a reduced benefit based on years of service. Of the 569 retirees currently receiving a MECRS pension benefit, 186 retirees have elected to participate in the City's health insurance plan and receive the health insurance subsidy. Because not all retirees are currently utilizing the health insurance subsidy, the Advisory Committee is proposing that the subsidy language be expanded to permit its use for dental benefits. The MECRS actuary has estimated a first year incremental cost of approximately \$227,000 if 100% of retirees elect the dental option.

As you know, the proposal must be approved by the New Hampshire legislature and authorized by the voters of Manchester in November prior to implementation. Please advise if you have any questions or require additional information.

Sincerely,

William E. Sanders
Finance Officer

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